

## CALIFORNIA COASTAL COMMISSION

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# W3a

November 2, 2007

TO: Coastal Commissioners and Other Interested Persons

FROM: Peter Douglas, Executive Director  
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SUBJECT: **Public Hearing on Proposed Revisions to Sections 13055, 13111, 13169, 13255 and 13576 Title 14, California Code of Regulations Regarding Filing Fees**

## TABLE OF CONTENTS

Executive Summary.....	Page 1
Staff Recommendation.....	Page 3
Coastal Commission Filing Fee Revenue.....	Page 3
Response to Public Comments.....	Page 5
Revisions Approved by the Commission in October 2007.....	Page 12
Staff Response to the Commission's July 2007 Comments....	Page 15
Summary of Proposed Amendments.....	Page 16
List of Exhibits.....	Page 35

## EXECUTIVE SUMMARY

Staff recommends that the Commission hear public testimony and adopt amendments to the regulations regarding filing fees. In July 2007, the Commission authorized staff to commence the rulemaking process with proposed regulations and in October 2007, the Commission approved 6 revisions to the originally proposed regulations. The amendments are included as Exhibits A through E; originally proposed amendments are shown in strikeout and underline, and revisions are shown in double strikeout and double underline. The proposed fees are summarized in Exhibit F. Since obtaining the Commission's authorization to proceed, staff has undertaken the procedures required by the Administrative Procedure Act (APA) (Government Code § 11340 *et seq.*). Staff mailed notice of the Commission's intent to adopt the proposed amendments to interested persons as required by the Government Code, published the Notice of Proposed

Rulemaking in the California Notice Register, (See Register 2007, No. 37-Z, September 14, 2007), and prepared the Initial Statement of Reasons. The documents are attached as Exhibits G and H and can be found on the Coastal Commission's website ([www.coastal.ca.gov](http://www.coastal.ca.gov)). **The 45-day written public comment period required by the APA began September 14, 2007 and ended on October 29, 2007.** On October 30, 2007, as required by the APA, staff mailed notice of the revisions to interested persons for a 15-day comment period which will end on November 13, 2007. Under the APA, the Commission has until September 14, 2008, one year from the date of commencement of the rulemaking, to complete the process. The entire OAL process is illustrated in a flowchart, attached as Exhibit I.

At the October hearing, the Commission requested that staff draft a resolution, describing that the intent behind increasing its fees is to increase services to applicants and to the public. The draft resolution will be added to the staff report as an addendum, prior to the Commission hearing.

At the November meeting, staff recommends that the Commission:

1. Open and take public testimony regarding the proposed regulations.
2. Approve staff's response to public comments
3. Adopt the resolution (to be attached as an addendum), which describes that the Commission's intent behind increasing its fees is to increase services to applicants and to the public.
4. Adopt the regulation amendments. (The motion can be found on page 3.)

In the following report, staff provides a brief history of the Commission's filing fee revenues; responds to public comments; describes the revisions proposed since July; responds to the Commission's July comments; describes the research and analysis performed by staff; and provides the reasoning behind each regulation amendment. The majority of the Commission's fees are contained within section 13055 of the regulations, and this section has received the majority of the proposed amendments. However, there are several other sections that are related to fees, and amendments to sections 13111, 13169, 13255 and 13576 complement the changes made to section 13055.

The following next steps will occur:

1. The Commission is required to respond to all public comments in writing. Staff has provided these written responses to the Commission for their approval prior to adoption of the regulations. Responses begin on page 5 of this report, and comments are attached as Exhibits L through R.
2. The Commission may adopt the package of regulation amendments at the November hearing as long as no additional revisions are made at that time. If the Commission does

make changes to the package of regulation amendments at the November hearing, an additional comment period will be required by the OAL.

3. After the Commission responds to all public comments in writing and adopts the regulations (targeted for November 2007), staff will prepare a final statement of reason and submit the final rulemaking package to OAL, which has 30 days to approve or reject the Commission's proposed regulations. The OAL will approve the proposed regulations if they determine that they comply with the standard of review put forth by Government Code section 11349.1 for necessity, authority, clarity, consistency, reference and nonduplication.
4. After OAL approves the package, the amended regulations will be filed with the Secretary of State and will become legally effective. (Target date January 1, 2008)

### **STAFF RECOMMENDATION**

Staff recommends that the Commission take public testimony and adopt the package of regulation amendments.

### **MOTION**

The staff recommends a **YES** vote on the following motion:

**MOTION:** *"I move that the Commission adopt amendments to sections 13055, 13111, 13169, 13255.0, 13255.2 and 13576 and new section 13255.1 of the Commission's regulations."*

Passage of the above motion will result in adoption of the following resolution:

### **RESOLUTION**

The Commission hereby adopts amendments to sections 13055, 13111, 13169, 13255.0, 13255.2 and 13576 and new section 13255.1 of the Commission's regulations and directs staff to prepare the Final Rulemaking Package to submit to OAL for their approval.

### **COASTAL COMMISSION FILING FEE REVENUE**

The Coastal Commission has been collecting permit filing fees since its inception. Exhibit J gives a summary of filing fees from FY 1976-1977 through FY 2005-2006. Exhibit K shows the projected revenue that would be generated if the fees are adopted as proposed. The average income in the 15 years of the current 1991 fee structure is \$456,336. The 15 year high is \$799,987 and 15 year low is \$424,840. The projected revenue if the filing fees are adopted as proposed is between \$2M and \$3.65M, annually. Since the passage of the Coastal Act of 1976, all filing fees collected by the Commission were deposited in the state General Fund from FY 1976-1977 through FY 1998-1999.

Starting in FY 1999-2000 legislation (Chapter 782, 1997) redirected all filing fees from the General Fund to the State Coastal Conservancy's Coastal Access Account. The purpose of the redirection of the filing fees was to use coastal filing fees for critical coastal access projects including operation and maintenance of access ways that can not be funded by bonds. Fines and penalties resulting from the resolution of coastal permit violations are deposited in the State Coastal Conservancy's Violation and Remediation Account.

In February 2004, the Legislative Analyst's Office (LAO) issued its analysis of the FY 2004-2005 Budget Bill and focused on the Coastal Commission's funding structure and its filing fees. The 2004 LAO report recommended that the Legislature take action to reduce the Commission's general fund allocation by \$5.8 million (the amount estimated to cover permitting and enforcement costs). The LAO also recommended that a special fund be set up to hold the increased filing fees and fund the Commission's work. The LAO recommended that all permit and penalty fees previously received by the Coastal Conservancy be directed to the proposed new special fund.

On March 10, 2004, the Commission sent comments to the LAO and Legislative Committees. The following is a brief synopsis of the comments.

**Summary of the Coastal Commission's Position on the February 2004 LAO recommendation:**

- The Commission is **not opposed** to the Legislature raising fees for the Commission's regulatory work and directing a portion of the increased revenue to the General Fund.
- The Commission is **opposed** to a cost recovery special fund system that directly provides funding for the Commission's regulatory and enforcement program. The Commission is also **opposed** to a \$5.8 million General Fund reduction in the Commission's FY 04-05 budget.
- The Commission is **opposed** to the reduction or elimination of permit fees and violation penalties that are currently transferred to the State Coastal Conservancy.

During the subsequent legislative hearings in 2004, the legislative sub-committees agreed with the Commission's position that a full cost recovery special fund system was not the best approach. The legislative sub-committees did strongly encourage the Commission to increase its filing fees to be comparable to local government fees. The sub-committees also proposed budget trailer bill language to direct the Commission to raise its fees, exempt the Commission from the Office of Administrative Law process, and redirect all filing fee increases to the General Fund. The intent of the budget trailer bill language was to have increased filing fees go to the General Fund so that the Commission could be authorized additional resources because the increased filing fees would be deposited in the General Fund and could offset possible augmentations to the Commission's budget. The Conservancy would have kept a base amount of coastal filing fees each fiscal year. The budget trailer bill language did not make it through the conference

committee and final FY 04-05 budget negotiations and so no changes were made and all Commission filing fees continued to go to the Coastal Conservancy access fund.

During the FY 05-06 budget process the legislative sub-committees approved augmentations to the Commission's budget. Once again there was budget trailer bill language that would have directed increased filing fees to the General Fund. The budget trailer bill language was not included in the final budget and the budget augmentations were vetoed by the Governor.

For FY 06-07 the legislative budget sub-committees encouraged the Commission to raise filing fees and approved a budget augmentation of 11 positions and proposed budget trailer bill language that would have redirected increased filing fees to the General Fund. The budget trailer bill language was not included in the final budget. The Governor vetoed three of the 11 legislatively approved positions. The Governor did approve a Commission budget augmentation of 8 positions and \$850,000 for FY 06-07.

For FY 07-08 (the fiscal year that ends June 30, 2008), the legislature approved a budget augmentation of \$150,000 for live webstreaming and \$380,000 for three staff analyst positions. The Governor sustained the \$150,000 for live webstreaming but vetoed the \$380,000 and three positions. The veto message states:

“I am deleting the \$380,000 legislative augmentation for coastal enforcement. The California Coastal Commission has the authority to adjust its fees, and I am willing to consider augmentations that address the Commission's workload needs once fees have been adjusted to cover associated costs. Currently, however, the proposed augmentation would result in additional General Fund costs. This reduction is necessary in order to further build a prudent reserve in light of the various uncertainties in revenues and spending that we face this year. With this reduction \$15,529,000 still remains to support the Commission's coastal management program.”

All the Commission's filing fees currently go to the Coastal Conservancy's Coastal Access Account. The funds are used for critical coastal access projects and maintenance of access ways that cannot be covered by bond funds. Any redirection of increased permit fees to the General Fund would require legislative action.

### **RESPONSE TO WRITTEN PUBLIC COMMENTS**

The Commission is required to respond in writing to all public comments received during the rulemaking process. The following section describes the comments received during the initial 45-day comment period and offers responses on behalf of the Commission. The comment letters are attached as Exhibits L through R. Each comment letter is numbered, 1 through 7, and each individual comment is assigned a letter.

1) Comments 1A and 7N are requests for the Commission to provide wider public notice of the proposed regulations.

**Staff Response:** In compliance with the laws and regulations governing the rulemaking process, the Commission has created a rulemaking mailing list which it has used to notice all known interested persons about the proposed rulemaking. The rulemaking mailing list was created in two steps. First, the Commission staff utilized the meeting agenda mailing list which contains approximately 694 entities and individuals throughout California, including public agencies, private and non-profit organizations and real property owners, who wish to receive the Coastal Commission's monthly agenda.

Using this mailing list, the Commission attached a notice in the September meeting agenda that described the Commission's intent to commence the rulemaking process. The notice requested that interested persons send their names and addresses to our office so that they can be placed on the rulemaking mailing list and receive future notice of the Commission's rulemaking proceedings.

The second step was to compile the rulemaking mailing list and mail the initial rulemaking materials to all interested persons. This mailing list will grow as the Commission receives comments from additional interested persons.

The proposed rulemaking will only affect those real property owners who, in the future, apply to the Commission to develop their property. Therefore, because it is impossible to determine which property owners will be affected, the Commission has used the method described above to create a mailing list of interested persons. In addition to providing notice through the rulemaking mailing list, the Commission has also posted all materials to its website, [www.coastal.ca.gov](http://www.coastal.ca.gov).

2) In Comment 5A the commenter expresses his support for comment letter 4.

**Staff Response:** Support noted. Comment letter 4 is addressed below.

3) Comments 1B, 2C, 3D, 4B and 6F are requests for additional public hearings. Comment 1B is a request for additional hearings at "reasonable geographic intervals along the coast." Comments 2C, 3D and 4B are requests for public hearings in Northern California, and comment 6F is a request for a public hearing in the Santa Cruz/Monterey area and other regions in Northern California.

**Staff Response:** In compliance with the laws and regulations governing the rulemaking process, staff of the Commission has scheduled a public hearing at the November Commission meeting in San Diego, after the 45-day comment period. Staff also scheduled public hearings at the July Commission meeting in San Luis Obispo and the October Commission meeting in San Pedro to provide the public with additional opportunities to give comments orally.

Staff of the Commission is confident that the 45-day written comment period and three hearings will provide the public with ample opportunity to comment on the proposed regulations.

Members of the public who are unable to attend either hearing can be assured that written comments will receive the same level of consideration as comments provided orally.

However, staff will present these requests to the Commission in November, and they have the ability to add a hearing to the December Commission meeting, which will take place in San Francisco. The addition of a hearing in Monterey would be difficult for the Commission's rulemaking schedule because there is not a Commission meeting scheduled there until March 2008.

4) Comment 1C is a request for the Commission to receive public comments via e-mail.

**Staff Response:** In addition to other means of communication, Commission staff has and will continue to receive public comment via e-mail ([mcavaliere@coastal.ca.gov](mailto:mcavaliere@coastal.ca.gov)). The address was included in the contact information listed on the Notice of Proposed Rulemaking and on the Commission's website.

5) Comments 2A, 3B, 4D and 4F state that the proposed fee increase is too large, and that the resulting fees are too high.

**Staff Response:** The Commission is aware that the fee increases are substantial. The reason they are so substantial is that the fees have not been increased since 1991. The fees have been unreasonably low for at least 10 years. To minimize this problem in the future, the proposed amendments include an automatic escalator, which will ensure the fees are increased each year by the rate of inflation.

6) Comments 4C and 4E state that the proposed fees are unreasonably high.

**Staff Response:** The Commission has compared the proposed fees with a survey of the planning fees of other local governments in the coastal zone. The survey, entitled "Survey of Planning Fees in the Coastal Zone," is contained in the rulemaking file, and as exhibits in the October 2007 and November 2007 Commission Staff Reports which can be found on the Commission's website, [www.coastal.ca.gov](http://www.coastal.ca.gov). The survey shows that the proposed fees are comparable to other planning fees in the region, especially considering that local government applicants pay additional fees for environmental review, but Coastal Commission applicants do not.

7) Comments 4E and 4G state that the proposed fees are unrelated to the cost of application review.

**Staff Response:** The proposed fees were developed in relation to the average complexity and amount of review required for each type of application. The projected annual filing fee revenue that will result from the proposed fees is approximately \$2M to \$3.65M, which represents less than 50% of its estimated annual regulatory costs. This figure shows that the fees are indeed related to the cost of application review, and will not exceed actual costs. Full cost recovery, which is a standard practice of many local governments, would result in far higher fees and unpredictable costs to the applicant.

8) Comments 3C and 4H concern fair treatment of applicants.

**Staff Response:** The Commission's fees are only charged in areas where it retains permit jurisdiction. If the Coastal Commission has permit jurisdiction, it will charge a filing fee; if the local government has permit jurisdiction, then it will charge a filing fee. Because the proposed fees are comparable to those charged by the planning departments of local governments in the coastal zone, applicants in the Commission's jurisdiction are not being treated differently than applicants in other areas.

9) Comments 4I and 6A express concern that the proposed fees should not be used to discourage development.

**Staff Response:** The Commission fully agrees with this statement. In fiscal year 07-08, the legislature approved a budget augmentation for three staff analyst positions, but the Governor vetoed the augmentation, stating that he would only consider the Commission's budget augmentations after it raises its fees. The Commission is not in any way attempting to discourage development by raising its fees. The Commission is increasing fees to be in line with local governments and so that it can increase its staff and better serve applicants.

10) Comment 4J states: "The proposed new and increased fees should not be based on ability to pay or as an opportunity to generate unwarranted revenues from coastal property owners."

**Staff Response:** The ability of homeowners to pay fees played no role in developing the proposed fees. The proposed fees are based solely on the average complexity and review time required for each type of application. The fee revenues are projected to generate up to 50% of the Commission's estimated annual regulatory costs and will not exceed actual costs.

11) Comment 4K states that Coastal Commission fee increases should be limited similar to the way that property tax increases are limited by Proposition 13.

**Staff Response:** Coastal Act section 30620(c)(1) authorizes the Commission to charge fees to reimburse the costs of application review, but it does not limit the amount of fee increases. The Commission acknowledges that the proposed fee increases are substantial. However, they are necessary because the fees have been artificially low for so many years. Also, the automatic fee escalator that has been included in the amendments will ensure future increases are more frequent and less substantial.

12) Comments 2B, 3E, 4A and 6E are requests to make materials available to Commissioners.

**Staff Response:** All rulemaking materials and written public comments, including the Initial Statement of Reasons, have been made available to Commissioners as exhibits to Staff Reports prepared for the public hearings.

13) Comments 3A, 6B and 6D express opposition to the proposed fees.

**Staff Response:** Opposition noted.

**14)** Comment 6C expresses the opinion that decisions are made according to “personal board member agendas and pressure from sympathetic interest groups.”

**Staff Response:** Although the comment is not relevant to the proposed rulemaking, the Commission would like to respond; the Commission is charged with protecting California’s coast and makes decisions based solely on the requirements of the Coastal Act and other applicable laws.

**15)** Comment 7A states that staff’s proposal for amendments to the Commission’s filing fee regulations is not posted on the Commission’s website or available in print.

**Staff Response:** There are several documents associated with the Commission’s proposed rulemaking: the Commission’s staff reports, including, so far, staff reports for the July and October Commission meetings; documents prepared for the OAL, including the Notice of Proposed Rulemaking and the Initial Statement of Reasons; and the proposed text of the regulation amendments.

As required by the APA, the Notice of Proposed Rulemaking was published in the OAL’s California Notice Register (See Register 2007, No. 37-Z, September 14, 2007); the Initial Statement of Reasons and proposed text of the amendments were mailed to all interested persons; and the staff reports, which include the text of the proposed amendments, the Initial Statement of Reasons and the Notice of Proposed Rulemaking, were published on the Commission’s website.

The Commission’s website also has a link from the home page to a rulemaking page which includes the Initial Statement of Reasons, the Notice of Proposed Rulemaking and the proposed text of the regulation. Unfortunately, the link from the home page was removed for a period of approximately two weeks in October. This removal was an error on the part of Commission staff. However, although the home page link was not available during this period, the rulemaking page was available and could be found through the use of the Commission’s search function, which is on the home page. Also, all materials could be found on the Commission’s website through the posted staff reports.

Finally, contact information is included in the Notice of Proposed Rulemaking and the Initial Statement of Reasons, and Commission staff has been available to mail documents to any member of the public who requests them.

**16)** Comment 7B states the proposed fees are “contrary to law and not in the best interest of either California’s coastal economy or environment.”

**Staff Response:** The proposed fees are not contrary to any laws applicable to the Commission; the Commission has determined that the impacts of the proposed fees on California’s coastal economy will be insignificant; and, the proposed regulation amendments, which increase fees, will have no impact on the environment.

**17)** Comment 7C states that the increased fees will radically increase the cost of residential development.

**Staff Response:** The proposed fees represent a small percentage of the overall cost of residential development. For example, a 5,000 square foot home, with a construction cost of \$120 per square foot,<sup>1</sup> would be assessed a fee of \$4,500, if the fees are adopted as proposed. This fee is only .75% of the cost of development. Generally, market forces determine if construction costs are absorbed by the developer or passed on to the consumer. Either way, the impact of development fees on development cost is insignificant when viewed in comparison to median home prices.

**18)** Comment 7D states that the proposed fees allow the executive director to selectively reduce costs.

**Staff Response:** The commenter is apparently referring to proposed sections 13055(h)(2) and 13055(h)(3), which allow the executive director to reduce fees for affordable housing projects and for green building projects. The originally proposed fee reduction for green building did lack criteria for determining which projects would qualify. However, the Commission has approved a revision to this subsection, 13055(h)(3), which would utilize the U.S. Green Building Council's LEED Certification Program as a standard criteria. More information can be found on page 30 of this staff report. 13055(h)(2) allows the executive director to reduce fees only for projects that include affordable housing as defined by state statutes. Therefore, the discretion given to the executive director is extremely limited.

**19)** Comment 7E states that the calculation of fees based on development cost includes project components that are outside the Commission's jurisdiction.

**Staff Response:** The commenter is apparently referring to subsection 13055(a)(5)(B)(2) which provides a definition for development cost. This definition is currently used by the Commission's sister agency, the San Francisco Bay Conservation and Development Commission, and was approved by OAL during their recent rulemaking process. The Commission has used "development cost" as a basis for determining its application fees since at least 1991. It is a widely used and legitimate basis for determining the complexity and thus the burden on staff of processing an application. The fact that certain elements of the definition are not subject to direct regulation by the Commission does not detract from their suitability for this purpose. The term "development cost" lacks a definition in the Commission's current regulations and this amendment would correct that deficiency.

**20)** Comment 7F states that Article XIII B of the State Constitution prevents the Commission from raising fees more than the increase in the California Consumer Price Index.

**Staff Response:** Article XIII B regulates government spending, not the collection of fees, and therefore, it does not apply to the proposed regulation amendments. Also, as stated in comment

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<sup>1</sup> Estimate based on the International Code Council's 2007 Building Valuation Data.

11 on page 8, Coastal Act section 30620(c)(1), which authorizes the Commission to charge fees, does not limit the fee increases that can take effect at any one time.

**21)** Comment 7G states that the proposed fees are not supported in the Commission’s July and October staff reports by “any rational documentation or analysis of actual Commission regulatory costs.”

**Staff Response:** The Commission’s staff reports detail the method by which the proposed fees were developed. They provide descriptions of the review required for each type of application received, discuss the Commission’s regulatory costs, and finally compare the proposed fees to the planning fees of other agencies to ensure they do not exceed typical planning fees in the area.

**22)** Comment 7H states that the proposed fees are not supported by an assessment of how the Commission could substantially reduce the cost of its regulatory program.

**Staff Response:** The Commission operates under a very constrained budget. All major budget changes must be approved by the Department of Finance, the Legislature and the Governor as part of the state budget process. The Commission consistently works to minimize its operating costs.

**23)** Comment 7I states that showing the relationship between the proposed fees and the fees of local governments in the coastal zone is not pertinent because the Commission performs a more narrow regulatory function than local governments.

**Staff Response:** The Fee Study used to compare the Commission’s proposed fees against the fees of other local governments in the coastal zone only surveyed the *planning* fees of local governments. These are the fees collected for issuing coastal development permits, which is the same function performed by the Coastal Commission. The fees for local government review relating to other government functions, including building permit fees, and school and fire impact fees, are separate from the planning fees. It was, however, impossible to create an exact comparison between local government fees and the fees of the Commission. For example, local governments charge additional fees for environmental review, while the Commission includes this service in its application fee.

**24)** Comment 7J states that the Commission’s application fees have no relationship to regulatory services because the fee revenue is directed to the Coastal Conservancy.

**Staff Response:** Although the actual funds are transferred to the Coastal Conservancy, the fees relate to the cost of regulatory services in that they are proportionate to the average level of review required for each type of application.

**25)** Comment 7K states that the Commission should support increased annual budget allocations to fund the State mandate for LCPs.

**Staff Response:** The Commission fully supports increased budget allocations to further the LCP program.

26) Comment 7L relates to the Commission's post-LCP regulatory program.

**Staff Response:** This comment is unrelated to the proposed regulation amendments. However, the Commission's post-LCP regulatory program operates in conformity with the Coastal Act and all other applicable laws.

27) Comment 7M is a request for the Commission to implement a cost recovery system.

**Staff Response:** The Commission is not proposing to base fees on a cost recovery system at this time, in part, because there is no funding available to set up such a program. At the very least, a cost recovery system would require additional staff in the accounting department, and the Commission is unable to increase staff until its fees are raised as requested by the Governor.

The proposed fee increase does not in any way preclude the Commission from moving to a cost recovery system in the future. However, it should be noted that full cost recovery, which is a standard practice of many local governments, would result in far higher fees and unpredictable costs to the applicant.

28) Comment 7O is a request for the Commission to advertise the proposed fees in every newspaper of record in the State.

**Staff Response:** The Administrative Procedure Act and the OAL regulations which govern the rulemaking process do not require state agencies to notify the public of proposed rulemaking through newspaper publications. Publishing notices in newspapers is very expensive, and likely not as effective as web posting. As required by the APA, the Notice was published in OAL's rulemaking register and on the Commission's website, and was mailed to interested persons as described above in response number 1 on page 6 of this report.

### **REVISIONS APPROVED BY THE COMMISSION IN OCTOBER 2007**

At the October 2007 hearing, the Commission unanimously approved six revisions to the originally proposed amendments. All six revisions are substantially related to the originally proposed text, and were therefore provided to the public for a 15-day comment period, as required by the APA. The public comment period began on October 30, 2007 and ended November 13, 2007. Each of the six revisions is described in detail below. The entire text of the proposed regulations is attached as Exhibits A through E. Originally proposed amendments are shown in strikeout and underline, and revisions are shown in double strikeout and double underline.

#### **Revision 1**

The Commission has approved an additional increase in fees for projects that include more than 100 cubic yards of grading. The reason for this revision is that the originally proposed fees were not high enough to reflect the complexity of review involved in grading projects, which substantially disturb coastal resources. The revised fee schedule is in section 13055(a)(4), on page 2 of Exhibit A, and is shown below.

The originally proposed fees for grading were:

Cubic Yards of Grading	Proposed Fee
51 to 100	\$500
101 to 1000	\$750
1001 to 10,000	\$1,000
10,001 to 100,000	\$1,250
100,001 or more	\$1,500

The revised fees for grading are:

Cubic Yards of Grading	Revised Fee
51 to 100	\$500
101 to 1000	<b>\$1,000</b>
1001 to 10,000	<b>\$2,000</b>
10,001 to 100,000	<b>\$3,000</b>
<b>100,001 to 200,000</b>	<b>\$5,000</b>
<b>200,001 or more</b>	<b>\$10,000</b>

### **Revision 2**

Because the Commission’s fee schedule was last updated in 1991, it is currently based on outdated development costs. The Commission has therefore approved an updated fee schedule for development cost that is more proportionate to the fee schedule which is based on square footage. The revised fee schedule is in section 13055(a)(5), on page 3 of Exhibit A, and is shown below.

Current Development Cost Categories	Revised Development Cost Categories	Proposed Fee
\$50,000 or less	<b>\$100,000 or less</b>	\$3,000
\$50,001 to \$100,000	<b>\$100,001 to \$500,000</b>	\$6,000
\$100,001 to \$500,000	<b>\$500,001 to \$2,000,000</b>	\$10,000
\$500,001 to \$1,250,000	<b>\$2,000,001 to \$5,000,000</b>	\$20,000
\$1,250,001 to \$2,500,000	<b>\$5,000,001 to \$10,000,000</b>	\$25,000
\$2,500,001 to \$5,000,000	<b>\$10,000,001 to \$25,000,000</b>	\$30,000
\$5,000,001 to \$10,000,000	<b>\$25,000,001 to \$50,000,000</b>	\$50,000
\$10,000,001 to \$100,000,000	<b>\$50,000,001 to \$100,000,000</b>	\$100,000
\$100,000,001 or more	<b>\$100,000,001 or more</b>	\$250,000

### **Revision 3**

The originally proposed fee for subdivisions was \$3,000 for each of the first four lots and \$500 for each additional lot. The Commission has approved an additional increase so that the revised fee is \$3,000 for each of the first four lots and \$1,000 for each additional lot. The reason for this revision is that the originally proposed fee of \$500 for each lot over four lots was too low as

compared to the average complexity of this type of application review. This revision is in section 13055(e) and can be found on page 5 of Exhibit A.

#### **Revision 4**

The Commission has approved additional language in section 13055(g) that would exempt applicants for single-family homes from indemnification conditions. This exemption would not increase fees; it would prevent the Commission from requiring some applicants to reimburse its attorney's fees. The proposed revision is shown in double underline on page 5 of Exhibit A, and adds the following sentence to section 13055(g):

“Notwithstanding the foregoing, the commission shall not require an applicant for a permit for one single-family dwelling to reimburse it for litigation costs or fees that the commission may incur in defending a judicial challenge to the commission's approval of the permit.”

#### **Revision 5**

The originally proposed regulation amendments included the following fee reduction for green buildings:

“The executive director of the commission may waive the filing and processing fee in full or in part for an application that displays extraordinary characteristics which substantially benefit coastal resources, such as sustainable site and building design, water and energy efficiency, habitat protection and public transportation elements.”

The Commission has revised the proposed language to include standard criteria for evaluating eligibility, a specific rate of discount, and a mechanism for implementing the fee reduction, so that the regulation is clearer for applicants and easier for the Commission to implement.

In October 2007, the Commission raised concerns that the green building fee reduction, as revised, narrows the scope of the original regulation. Staff acknowledges that standardized criteria can limit the flexibility of programs. However staff has determined that there is no feasible way for the Commission to create and implement a green building program that is specialized for the coastal zone. The Commission does not have the resources available. In light of this limitation, staff thoroughly researched existing programs that could be utilized to establish criteria for the fee reduction. Staff determined that the U.S. Green Building Council's LEED program is by far the most appropriate program because it is the most thorough, the most innovative, and the most relevant to Coastal Act policies. Staff's decision to use the LEED program in this regulation is discussed in more detail on page 31 of this report, and the program is described at length in the “Green Building Rating System” documents, which describe the method for qualifying for each type of LEED certification. All of these documents can be found on the U.S. Green Building Council's website, including the Green Building Rating System for New Construction which is posted at <https://www.usgbc.org/ShowFile.aspx?DocumentID=1095>.

The language of the revised regulation is in section 13055(h)(3), on page 6 of Exhibit A, and below:

“For applications received prior to January 1, 2015, the executive director of the Commission may reduce the filing fee by 40% for projects that are certified at a minimum of the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Gold standard or equivalent. After registering a project with an approved third-party certification program, applicants expecting to obtain a certification that qualifies for the above-mentioned fee reduction must submit 60% of the filing fee required pursuant to section 13055 and a letter of credit or other cash substitute acceptable to the executive director in the amount of the remainder of the required filing fee. The applicant shall submit to the executive director proof of certification at a minimum of LEED Gold or equivalent within three years of the date of permit issuance. Upon receipt of the proof of certification the executive director shall release the letter of credit or other cash substitute to the applicant. If the applicant does not submit to the executive director proof of certification within three years of the date of permit issuance, the Commission will redeem the letter of credit or other cash substitute. The executive director may grant one extension of the three year deadline for good cause. A request for such an extension must be submitted to the executive director in writing at least 60 days prior to the deadline, outlining the reason for the request and the expected completion date. The extension shall not exceed one year.”

### **Revision 6**

The Commission has approved a reference to the proposed fee for appeals in section 13111(b). The purpose of this revision is to ensure the regulations are internally consistent, in light of the proposed amendments. The revision will simply clarify the regulations, so that someone reading section 13111 will be aware of the associated fees. The revision is shown on page 1 of Exhibit B and below:

“For an appeal to the Commission by an applicant pursuant to Public Resources Code sections 30602 or 30603(a)(5) of a denial of a coastal development permit application, the applicant shall submit a filing fee in accordance with the provisions of section 13055(b)(5)(B).”

### **STAFF RESPONSE TO THE COMMISSION’S JULY 2007 COMMENTS**

At the July 2007 meeting, the Commission commented on the proposed regulations and related analyses. Several of the Commission’s requests, such as adding additional footnotes to the exhibits for clarification, have been included in this staff report.

Additionally, at the July meeting, several Commissioners expressed a desire to lower the fees for small homes below the amount proposed. Staff offers the following information for consideration:

1. The majority of small homes and residential additions or remodels in the coastal zone are issued waivers or administrative permits. The proposed fee for waivers is \$500 and the proposed fee for administrative permits is \$2,500. Those projects that are not issued waivers or administrative permits have coastal resource issues that need to be analyzed. This analysis requires Commission and staff time.
2. As proposed by staff, the fee for administrative permits would be \$2,500. This amount is based on a portion of the average costs that the Commission incurs in processing administrative permits. The fee for a small home is proposed to be \$3,000. The fee for a discretionary permit should be higher than the fee for an administrative permit, since discretionary permits take considerably more time and effort to review. Therefore, if the fee for a small home is lowered, then the fee for an administrative permit should be lowered as well. Likewise, all of the proposed fees were developed in relation to each other, not independent of each other.
3. In consideration of the Commission's comments, staff revised the definition of square footage after the July 2007 hearing and prior to submitting the initial rulemaking package so that it does not include outdoor structures that are uncovered. The originally proposed definition of square footage included:

“gross internal floor space of the main house, attached garage(s), and patios, plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings.)”

The revised definition removes patios from the definition of square footage so that it includes:

“gross internal floor space of the main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings.)”

This revision will reduce the square footage of residences as calculated by the fee regulations, and therefore lower the fee for some applications.

## **SUMMARY OF PROPOSED AMENDMENTS**

### **I. Background**

The Commission's filing fees (authorized under Section 30620(c) of the Coastal Act and set forth in Title 14, Section 13055 of the Commission's Administrative Regulations) have not been raised since 1991. The Commission's current filing fees range from \$200 for administrative permits to \$20,000 for large industrial permits. These are substantially lower than the fees charged by local governments with certified LCPs.

Staff performed an extensive review of the 1991 filing fee update process. In 1991, the fees were raised for the first time since the Commission's first fee structure was established in 1973. The filing fee update process of 1991 differed from the current process because then Governor Pete Wilson had declared a State Fiscal Emergency and requested additional revenue from all possible resources. Therefore the Commission developed the fees under the OAL's Emergency Regulations process.

In 1991, the Commission's fee update was relatively simple. The fee categories that had been created in 1973 were increased by a factor of 8, and a handful of new categories were created. The new categories included: separate fees for small, medium and large houses, residential grading fees, fees for lot line adjustments, amendments, extensions, reconsiderations, waivers, assignments, continuances and after-the-fact permits. In 1991, the Commission had considered a more moderate increase of 314%, which was the increase in inflation from 1973 to 1991 calculated using the California Consumer Price Index (CCPI). However, this option was rejected because it was determined to be too small of an increase, considering the increasing complexity of project review and numerous court cases which required more review of projects from the Commission and staff.

As in 1991, staff has concluded that an increase based on inflation is not sufficient to address the time and effort it takes to review projects in the current environment. The change in inflation from 1991 to 2007, calculated using the CCPI, is approximately 150%. Adjusting the Commission's fees to reflect this small increase would result in fees from \$307 for an administrative permit, to \$30,725 for a large industrial permit.

If the Commission were to simply increase all existing fee categories by a factor of 8, as they did in 1991, some fees would be disproportionate to the time spent by staff to review the applications, and some fees would be disproportionate to each other. For example, the fee for a 12,000 square foot commercial building would be \$16,000 more than the fee for an 8,000 square foot commercial building. Exhibit S is a chart showing the 1991 fee update and the effect the exact same increase would have on the current fees.

Staff has performed a detailed analysis of filing fees which included a review of the feasibility of a cost recovery system, an examination of the Commission's FY 2005-2006 actions, and a survey of the filing fees of various government agencies. This detailed analysis is required by the OAL to justify amendments to the Commission's Administrative Regulations. The analysis also informed staff's determination of the most appropriate filing fees.

Staff has proposed two new provisions for fee reductions for affordable housing and for green building. These provisions are found in §13055(h)(2) and (h)(3) and are discussed below, in sections III.H.2 and III.H.3 of this report.

## **II. Summary of Research Performed by Staff**

### **A. Cost Recovery versus Flat Fees**

Many government agencies charge filing fees based on cost recovery. In these agencies, all staff involved in the review of a project track all the time spent on each filing, and the applicant is

charged accordingly. Cost recovery systems cause more complicated applications to be charged more, and less complicated applications to be charged less. This puts the full burden of project review on the applicant. It can also result in much higher fees for projects that require review from scientists, lawyers or other specialists. A major drawback of cost recovery systems is that the cost to the applicant of staff review is very difficult to predict.

The Commission does not have the staff structure to support a cost recovery system. It would be time consuming for analysts to track their time on individual applications, it would require many additional staff members in the accounting department, and it may result in applicants disputing the amount of time spent analyzing their applications. For these reasons, staff has determined that a cost recovery system could disrupt the integrity of staff review, and would ultimately be the wrong choice for the Commission.

Flat fees are simple to administer and predictable for the applicant. Based on a comprehensive review of the Commission's review process and of comparable fees charged by local governments, staff has developed a package of appropriate flat fees to recommend for Commission consideration and approval.

## **B. Analysis of FY 2005-2006 Commission Actions**

Staff analyzed Commission actions for FY 2005-2006 (July 1, 2005 – June 30, 2006) as a sample year to determine the specific types and quantities of applications received each year. The research revealed that many Commission action items are not associated with any filing fee. These items include public agency filings, local coastal program (LCP) amendments, appeals, and federal consistency certifications.

A summary of the analysis of FY 2005-2006 Commission actions is attached as Exhibit T. As can be seen in Table 1, the Commission acted on 1,022 items. Of these, 627 were subject to a public hearing and 395 were not subject to a public hearing (e.g. waivers, immaterial extensions, etc.). Of the 627 subject to public hearing, 8% were appeals, 10% were major LCP amendments and 1% were consistency certifications.

Exhibit T also shows a detailed analysis of public agency action items and after-the-fact (ATF) action items. In Table 2, you can see that public agency applications account for 33% of the Commission's amendments, 27% of the regular items, 21% of the consent items, and 6% of the administrative items. The data also show a surprisingly high percentage of ATF permits. The category with the highest percentage of ATF permits is amendments, 25%, followed by appeals, 22%, regular items, 20% and administrative permits 6%.

### **1. Public Agency Applications**

Because a large percentage of Commission and staff review time is spent on public agency applications, staff considered the option of charging public agencies filing fees. However, Government Code section 6103 prevents state agencies from charging other governmental entities filing or processing fees. Several state agencies, including the Bay Conservation and Development Commission (BCDC) have statutory exemptions from section 6103 so that they

can charge public agencies fees. The Commission would need its own statutory exemption from 6103 before it could begin charging public agencies filing fees.

## **2. Local Coastal Program Amendments**

The Coastal Act requires the Commission to certify amendments to LCPs before they take effect. Sometimes, local governments amend LCPs to update their development standards for large areas comprising many parcels or for the entire area subject to the LCP. Often, however, the primary motivation for an amendment to an LCP is to allow for a single development. In these instances, although the project developer/landowner is the primary beneficiary of the LCP amendment, that developer/landowner is not required to pay fees to the Commission for review of the amendment. Staff has determined that the sponsors of these projects should be required to pay filing fees to offset the cost of Commission and staff time expended in reviewing such “project-driven” LCP amendments.

As currently written, the Coastal Act does not allow the Commission to charge for “project-driven” LCP amendments. Public Resources Code section 30620(c)(1) states that the Commission may require payment of a fee for any filing *except* for “local coastal program submittals.” An amendment to the Coastal Act would be required before the Commission could start charging for project-driven LCP amendments. Because a significant amount of the staff and Commission’s time and resources are spent on project-driven LCP amendments, staff recommends that the Commission consider pursuing legislation that would enable the Commission to collect fees for project driven LCP amendments.

## **3. Appeals and Revocations**

In FY 2005-2006, 8% of the Commission’s public hearing action items were appeals. Appeals help the Commission ensure the Coastal Act is being upheld in areas where the local government has obtained permit authority. Staff explored ways to charge fees for appeals, and has determined that it would be inappropriate to do so. The appellant, not the applicant, files the appeal, and charging the appellant a fee for an appeal could unduly discourage future appeals and public participation. Several Commissioners disputed this conclusion during the July meeting, but others opined that fees for appeals would indeed have a chilling effect on public participation.

There are two circumstances in which charging for an appeal would undoubtedly be appropriate. One is when a CDP for an energy or public works project is denied by a local government, and the project proponent appeals that denial to the Commission. In this case, the applicant is filing the appeal. Subsection 13055(b)(5)(B) of the proposed regulations establishes a fee for appeals to the Commission pursuant to Public Resources Code section 30603(a)(5) of a denial of a major public works project or energy facility. Because the Commission does not charge public agencies filing fees, this would in no way affect public agency projects.

Section (b)(5)(B) also includes filing fees for appeals filed pursuant to Coastal Act section 30602 of a denial by a local government of a CDP prior to certification of an LCP. Pursuant to section 30602, all such denials can be appealed to the Commission.

Coastal Act section 30620(c)(1) specifically allows the Commission to charge filing fees for revocations. However, this would be similar to charging fees for appeals; a fee in this case may discourage requests for revocations which help the Commission uphold the standards of the Coastal Act. The Commission does not currently charge fees for revocations and staff is not recommending a change.

#### **4. Federal Consistency Certifications**

Under sections 307(c)(3)(A) and (B) of the Coastal Zone Management Act (CZMA), the Commission is authorized to conduct consistency reviews of projects that require a federal license or permit and affect the coastal zone. The CZMA requires an applicant for such a permit to submit to the Commission a “consistency certification.” These certifications require a significant amount of Commission and staff time to review and require the same level of review as all other CDP applications. However, there is currently no mechanism for charging a fee for the Commission’s review. In section (b)(5)(A), staff proposes to create a filing fee for federal consistency certifications. The fee amount would be the same as that for a coastal development permit. Fees for consistency review, however, cannot be required until this regulation amendment is approved by NOAA’s Office of Ocean and Coastal Resource Management (OCRM) for incorporation into the California Coastal Management Program (CCMP). Once the package of amended regulations is approved by the Commission and OAL and is final, staff will submit the required request to NOAA for approval.

#### **C. Survey of Government Agency Filing Fees**

The Commission’s filing fees should be updated so that they are comparable to those charged by other state and local agencies. Staff performed a thorough analysis of other agencies’ planning fees, which included fee types and amounts, and the authority that enables different agencies to charge fees. Staff also performed a full comparison between the Commission’s current fees and the planning fees of the following five local agencies: County of Sonoma, County of San Mateo, County of Santa Barbara, City of Huntington Beach and City of Oxnard. These particular local governments were chosen for three main reasons: their fee categories are relatively similar to the Commission’s; the majority of their fees are flat fees, not fees based on cost recovery; and, they represent both rural and urban areas of the coastal zone. Using this survey, staff has determined fee amounts for the Commission that are comparable to those of other local governments. A summary of the survey results is included in Exhibits U and V. The entire fee study is included as Exhibit W.

##### **1. Survey Methodology**

The survey of local government planning fees was relied on to develop a general idea of what planning fees are in the coastal zone. A direct comparison of the fees was impossible because different agencies have different fee categories, and because services for each category are grouped into the fees in different ways. For example, the County of San Mateo charges separate fees for design review and water quality review, but these services are included within the Commission’s current fees. To resolve this conflict, staff obtained a minimum and maximum fee from each of the five agencies for each of the Commission’s fee categories. Then, the mean

average of the minimum and maximum fees for each category was calculated. Staff also conducted interviews with staff members from each of the agencies surveyed to ensure correct interpretation of the fee schedules. The fee schedules of the five local governments are attached as Exhibits X through BB.

It is important to note that the fee comparison did not include the local governments' fees for environmental review, and therefore portray the local government review fees below what they actually are. Because local governments are generally the CEQA lead agency, they charge fees for the preparation of CEQA documents. These fees are substantial, and are often charged on a cost recovery basis. Although the Commission is often a responsible agency, not the lead agency, staff still performs an in-depth review of the lead agency's document. Recent court cases have underscored the need for the Commission to continue to review CEQA documents carefully before making findings.

In some cases, often with seawalls and piers, the Commission does act as the CEQA lead agency and prepares functionally equivalent documents, pursuant to the certification that the Secretary of Resources has granted to the Commission pursuant to section 21080.5 of the CEQA. However, these applications are not charged an additional fee on the basis of the Commission's status as lead agency. Instead, the CEQA review service is included in the normal fee.

### **III. Proposed Changes to Section 13055**

The proposed section 13055 is attached in Exhibit A and is divided into 9 subsections, (a) through (i). To clarify the regulations, staff is proposing to divide the filing fees into two major categories: subsection (a) will address filing fees for CDPs and subsection (b) will address filing fees for all other filings, such as waivers and extensions. The remaining subsections, (c) through (i), clarify and expand upon the fees that are stated in subsections (a) and (b).

#### **A. Filing Fees for Coastal Development Permits**

Subsection (a) of the regulations is divided into eight sections: administrative permits, detached single-family residential permits, attached single-family residential permits, grading permits, industrial and commercial permits, amendments, emergency permits, and temporary permits.

##### **1. Administrative Permits**

The proposed revision raises the fee for an administrative permit from \$200 to \$2,500. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for administrative permits. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance. The proposed fee of \$2,500 is less than the mean average of \$3,474 obtained in the local government survey.

## **2. Detached Single-Family Residences**

### **Details**

The current fee for homes less than 1,500 square feet is \$250 and the proposed fee is \$3,000. The fee for homes from 1,501 to 5,000 square feet is currently \$500 and the proposed fee is \$4,500. The fee for homes that are more than 5,001 square feet is currently \$1,000. Here, the proposed amendment creates an additional fee; the proposed fee for residences between 5,001 and 10,000 square feet is \$6,000, and the proposed fee for residences larger than 10,001 square feet is \$7,500.

In subsection (a)(2)(B), a new fee structure is proposed for detached single family developments of more than four residences. For these applications, the fee is based on the size of the residences being built. For residences of 1500 square feet or less, the fee is either \$15,000 or \$1,000 per residence, whichever is greater. For residences between 1,501 and 5,000 square feet, the fee is either \$22,500 or \$1,500 per residence, whichever is greater. For residences between 5,001 and 10,000 square feet the fee is either \$30,000 or \$2,000 per residence, whichever is greater. And for residences of 10,001 square feet or more, the fee is \$37,500 or \$2,500 per residence, whichever is greater. For all residential development, there is a maximum fee of \$100,000. For developments with residences of different sizes, the fee will be based on the average size of all the residences.

### **Discussion**

The local government survey's mean average filing fee for an individual single-family residence is almost \$6,000. Staff is proposing fees that are both below and above this average, depending on the house size. The Commission's proposed fees are \$3,000 for a house under 1,500 square feet, \$4,500 for a house between 1,501 and 5000 square feet, \$6,000 for a house between 5,001 and 10,000 square feet, and \$7,500 for a house that is 10,001 square feet or more. Higher filing fees are appropriate for larger houses because they cause more coastal resource impacts than smaller houses and therefore require more Commission and staff time to review.

In July 2007, several Commissioners expressed a desire to lower the fees for small homes below the amount proposed by staff. Staff offers the following information for consideration:

1. The majority of small homes and residential additions or remodels in the coastal zone are issued waivers or administrative permits. The proposed fee for waivers is \$500 and the proposed fee for administrative permits is \$2,500. Those projects that are not issued waivers or administrative permits have coastal resource issues that need to be analyzed. This analysis requires Commission and staff time.
2. As proposed by staff, the fee for administrative permits is \$2,500. This amount is based on a portion of the average costs that the Commission incurs in processing administrative permits. The fee for a small home is proposed by staff to be \$3,000. A fee for a discretionary permit should be higher than an administrative permit, since discretionary permits take considerably more time and effort to review. Therefore, if the fee for a small

home is lowered, then the fee for an administrative permit should be lowered as well. Likewise, all of the proposed fees were developed in relation to each other, not independent of each other.

3. In consideration of the Commission's comments, staff revised the definition of square footage so that it does not include outdoor structures that are uncovered. The originally proposed definition of square footage included:

“gross internal floor space of the main house, attached garage(s), and patios, plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings.)”

and the revised definition includes:

“gross internal floor space of the main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings.)”

This revision will reduce the square footage of residences as calculated by the fee regulations, and therefore lower the fee for some applications.

Currently, the regulations require each single-family house in a development to be charged separately. However, the fee structure would cause the following problem: because there is a maximum fee in subsection (f) of \$100,000 for residential development, if the full fee was charged for each residence in a large development, then the developer of a project with 22 residences between 1,501 and 5,000 square feet would be charged the same fee as a developer of a project with 200 single family homes of the same size. Both would be charged the maximum fee of \$100,000. To minimize this discrepancy, a separate fee structure has been included in section (a)(2)(B) for developments of more than four detached, single-family homes.

Although the maximum fee of \$100,000 is higher than the local government average obtained in the survey, staff has determined that this is the appropriate fee. Each house in a large development has an impact on the environment, and large developments present new complications for infrastructure planning that are not created by the development of one new single-family residence. Also, \$100,000 is still a small portion of the total development cost. A hypothetical example might be a 100-unit detached single-family residential development, with homes of 3,000 square feet each. Assuming a construction cost of \$100 per square foot<sup>2</sup>, and no additional cost of infrastructure, the \$100,000 filing fee would represent only .33% of the total project cost.

### **3. Attached Residential Units**

The current regulations include the fee for up to four attached residential units together with the fee for lot line adjustments. The newly proposed fee of \$3,000 for lot line adjustments is not

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<sup>2</sup> Estimate based on the International Code Council's 2006 Building Valuation Data.

appropriate for up to 4 units because \$3,000 is the fee for one single-family residence of 1500 square feet or less. Instead, staff proposes to create a new subsection, (a)(3), for attached residential development.

Subsection (a)(3)(A) increases the fee for up to four attached residential units from \$600 to \$7,500. In subsection (a)(3)(B), staff proposes to increase the fees for attached residential developments of more than 4 units. The current minimum of \$2,000 has been increased to \$10,000, the per-unit cost of \$120 has been raised to \$750, and the maximum fee would be raised from \$20,000 to \$50,000. The maximum fee for attached residential development is proposed to be half as much as the maximum fee for detached, single-family development because single-family developments tend to be larger and therefore create more impacts on coastal resources. Also, attached residential units help concentrate development, which is encouraged by the Coastal Act.

#### **4. Grading**

##### **Details**

In subsection (a)(4), the regulations currently require a \$200 fee for residential projects that include more than 75 cubic yards of grading. The proposed amendments would change this in four ways. First, the grading fee would apply to all projects, not just residential. Second, the cutoff of 75 cubic yards that triggers an additional fee would be lowered to 50 cubic yards. Third, the fee structure would include six increments of grading amounts. And fourth, the fee would be raised. The new fees are proposed as follows: Fifty-one to 100 cubic yards of grading would be charged \$500; one-hundred one cubic yards to 1,000 cubic yards of grading would be charged \$1,000; one-thousand one cubic yards to 10,000 cubic yards of grading would be charged \$2,000; ten-thousand one cubic yards to 100,000 cubic yards of grading would be charged \$3,000; one hundred thousand and one to 200,000 cubic yards of grading would be charged \$5,000; and projects with more than 200,001 cubic yards of grading would be charged \$10,000.

##### **Discussion**

The grading fee was first added to the regulations in 1991 to consider the cost of the additional time necessary to review the impacts of large amounts of grading. The 1991 fee schedule also included a \$5 fee for every additional 1,000 cubic yards of grading, but this additional fee was removed in 1998 because it was considered to be too small to warrant the calculation. However, an increased fee for more grading is appropriate because more grading causes more impacts and requires more review. The proposed regulation uses the grading fee schedule put forth in the Uniform Building Code (UBC) with the addition of one category for more than 200,001 cubic yards of grading. This category was added for very large projects which are not often seen by the Commission but require significant effort to review. The grading fees will apply to all types of projects, not just residential projects. This fee structure reflects the additional time required to review larger amounts of grading and the associated disturbances.

## 5. Commercial and Industrial Development

### Details

The Commission approved amendments to the fees for commercial and industrial development which require the fee to be based upon either the gross square footage or the development cost, whichever is higher. Also, because the cost of development has increased since the fees were last updated in 1991, the Commission approved an update in the fee categories for development cost.

The Commission approved the following two fee schedules:

#### **Fees based upon gross square footage**

Square Footage	Current Fee	Proposed Fee
1000 or less	\$500	\$5,000
1001 to 10,000	\$2,000	\$10,000
10,001 to 25,000	\$4,000	\$15,000
25,001 to 50,000	\$8,000	\$20,000
50,001 to 100,000	\$12,000	\$30,000
100,001 or more	\$20,000	\$50,000

#### **Fees based upon development cost**

Current Development Cost	Proposed Development Cost	Current Fee	Proposed Fee
\$50,000 or less	\$100,000 or less	N/A	\$3,000
\$50,001 to \$100,000	\$100,001 to \$500,000	\$600	\$6,000
\$100,001 to \$500,000	\$500,001 to \$2,000,000	\$2,000	\$10,000
\$500,001 to \$1,250,000	\$2,000,001 to \$5,000,000	\$4,000	\$20,000
\$1,250,001 to \$2,500,000	\$5,000,001 to \$10,000,000	\$8,000	\$25,000
\$2,500,001 to \$5,000,000	\$10,000,001 to \$25,000,000	\$12,000	\$30,000
\$5,000,001 to \$10,000,000	\$25,000,001 to \$50,000,000	\$20,000	\$50,000
\$10,000,001 to \$100,000,000	\$50,000,001 to \$100,000,000	N/A	\$100,000
\$100,000,001 or more	\$100,000,001 or more	N/A	\$250,000

### Discussion

Currently, commercial and industrial developments are charged either by the total square feet of development or by the total development cost of the project. However, there is no indication in the regulations as to how to choose between the two different methods of calculating the filing fee. To clarify this, the Commission approved amendments to the regulations that require the higher of the two fees be charged.

Also, the term development cost is used in the current regulations but is not defined. The Commission approved a definition of development cost which includes: “all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project

both inside and outside the Commission’s jurisdiction.” This is the same definition that is used by the BCDC.

The fee structure for commercial and industrial development will also apply to residential development that is not based on square footage, such as new wells, seawalls, and remodeling projects. However, these types of residential projects are often issued waivers, which have a proposed fee of \$500, or administrative permits, which have a proposed fee of \$2,500.

Major energy facilities are currently charged a flat fee of \$20,000. Staff considered proposing a higher flat fee as a part of this regulation update. However, staff determined that a flat fee for energy facilities is not appropriate given the wide range of energy projects that are expected to be developed in the future. New alternative energy facilities could potentially be far smaller in scope than traditional energy facilities. Therefore, the proposed amendments treat energy facilities the same as any other industrial development. This will ensure that smaller energy projects are charged a smaller filing fee than very large energy projects.

## **6. Amendments**

The proposed amendments raise the fee for immaterial amendments from \$200 to \$1,000. This increase is commensurate with the increases seen in other categories. The fee for material amendments will remain as it is: 50% of the fee for the development that is being amended. This fee is necessary because material amendments require a comprehensive review of the entire project to determine the impacts they cause.

## **7. Emergency Permits**

Emergency permits require expedited review and are difficult to process because a lot of information needs to be obtained and reviewed in a short period of time. The proposed amendments increase the fee for this category from \$200 to \$1,000. The proposed fee of \$1,000 is slightly lower than the local government average of \$1,286. The fee is credited towards the filing fee that the applicant is charged when they return for a regular permit.

## **8. Temporary Events**

Temporary events in the coastal zone are often complicated by issues with sensitive habitats and public access. The review required for temporary events permits is at least as comprehensive as that required for administrative permits, and therefore the proposed amendments increase the fee from \$500 to \$2,500.

# **B. Filing Fees for Filings Other than Coastal Development Permits**

## **1. Extensions and Reconsiderations**

The current fees for extensions and reconsiderations are \$200 for single-family homes and \$400 for all other developments. The proposed amendments include a modest increase in this category: \$500 for single-family homes and \$1,000 for all other developments.

## **2. Waivers**

In section (b)(2), the fee for waivers is increased from \$200 to \$500.

## **3. Exemptions**

In section (b)(3), the Commission approved a fee of \$250 for a written exemption from a permit. Written exemptions are often requested by project applicants who are unsure if they need a Coastal Commission permit before starting their project. Exemptions often require many hours of staff research.

## **4. Continuances**

The first request for continuance made by a permit applicant is always free of charge and is intended to allow the applicant time to respond to the Commission's review. Subsequent requests for continuance made by the applicant are currently charged \$200. Staff is proposing to increase this fee to \$1,000 because continuances require time before the Commission, clerical staff time, and additional costs for the materials required to notice, mail, and re-print staff reports. Continuances requested by staff or by the Commission are free of charge.

## **5. Federal Consistency Certifications and Appeals**

Subsection (b)(5) includes filing fees for federal consistency certifications and for certain appeals. Appeals are discussed in section II.b.3 of this report, and federal consistency certifications are discussed in section II.b.4 of this report.

## **6. Boundary Determinations**

Currently, there is no fee for boundary determinations. Mapping staff regularly performs informal as well as formal boundary determinations. Informal determinations are those that are simple to evaluate, and do not require a written notice. Formal determinations can be quite complex and require written notice. The proposed amendments include a fee of \$250 for formal determinations.

Charging fees for boundary determinations will require amendments to sections 13255 and 13576 of the Commission's regulations. Those amendments are discussed below, in sections V and VI of this report.

## **7. Boundary Adjustments**

The Commission may adjust the boundary of the Coastal Zone pursuant to Coastal Act section 30103(b). Boundary adjustments require staff reports and review by the Commission, and they generally require a level of review similar to that required for reviewing a new house. Therefore, the proposed amendments include a fee of \$5,000 for boundary adjustments. The current fee regulation found in 13255.2 has not been updated since the Commission's first regulations were adopted in 1973, and the fee structure is based on the size of the parcel that will be affected by

the adjustment. However, staff has determined that the time it takes to review a boundary adjustment has little relationship with the size of the parcel, which is why staff is proposing only one fee. Also, note that subsection 13255.2(d) allows a fee waiver for boundary adjustments that do not require substantial staff review.

### **C. Automatic Fee Escalator**

During the 1991 fee update process, the Commission received a comment which said that the proposed fee increase was too large and that the fees should have been raised more often, but in smaller increments, to lessen the impact of the increase. The Commission agreed with this comment, and hoped to continually update the fees. However, amending the regulations requires an enormous amount of staff time and effort, and it has now been 16 years since the fees were last updated. To resolve this, the proposed amendments include an automatic fee escalator. This fee escalator will allow the Commission to adjust its fees each year by the amount of inflation determined by the California Consumer Price Index. The fee escalator can be found in section (c) of the proposed regulations. It states that each year, the new fees as adjusted by the California Consumer Price Index will become effective July 1. Staff will calculate the new fees after the Department of Industrial Relations publishes the annual index value, and then will adjust the fee schedule that is issued to the public and posted on the Commission's website. Although future changes to the fee regulations will certainly be necessary to reflect changes in development along the coast, this automatic escalator will ensure that the Commission's revenue is increasing at least at the rate of inflation.

### **D. After-the-Fact Permits**

Subsection (d) is for after-the-fact (ATF) Permits. ATF permits enable the Commission to authorize already completed development, when that development can be found to be consistent with the Coastal Act. The proposed amendments include a fee for ATF permits which is five times the normal fee. Local governments in the Coastal Zone charge from 2 to 9 times the regular filing fee for ATF permit authorization. This is because ATF permits require more review than normal permits. Often, more site visits than usual are required to analyze the site as it would have been before the unpermitted development occurred. It is far more difficult to assess environmental impacts and to devise conditions for mitigating environmental impacts after development has occurred. To ensure that the few ATF permits that do not require substantial staff time are not overcharged, the proposed regulations allow the executive director to reduce the ATF filing fee when appropriate. However, the fee would never be allowed to be less than two times the regular filing fee.

The proposed regulations also clarify that the ATF fee is only charged for the portion of the application which has been developed without a permit. This is important because often times, applicants request ATF approval of development at the same time that they apply for a larger development. For example, an already completed well might be applied for at the same time that an applicant applies for a permit to build a house. In this circumstance, the proposed regulations would require ATF fees only for the portion of the project that was carried out without a permit.

### **E. Land Divisions**

Under the Commission's current regulations, if an applicant requests a permit for a subdivision and construction of residences, the applicant is only charged the fee for review of the residences. This exemption from the fee for subdivision review is inconsistent with the staff time required to review the two elements of the project. A subdivision requires Commission and staff review time, regardless of when the residences are built. The proposed subsection (e) removes the exemption from subdivision fees when an applicant proposes both subdivision and construction of residences.

The existing regulations have the fee for subdivisions equal to the fee for single family residences, so that each new lot created by a subdivision is charged the same fee as a single family residence. However, the current regulations have three different fees for three different sizes of residences, and the regulation regarding subdivisions does not say which fee should be applied. To clarify this, the proposed fee for subdivisions is \$3,000 for each of the first four lots, and \$1,000 for each additional lot. The fee of \$3,000 was chosen because it is the proposed fee for the smallest house on the fee schedule. The fee was reduced to \$1,000 for each lot over 4 lots because the level of review required for 20 lots, is generally not 20 times that required for the review of 1 lot.

Filing fees for conditional certificates of compliance are also included in subsection (e). Conditional certificates of compliance legalize lots that were subdivided in a manner that did not conform to legal requirements that were applicable to that subdivision at the time it occurred. They require a similar level of review as for an application for a new subdivision.

The fee for lot line adjustments is currently \$600, and the new fee is proposed to be \$3,000. This is the same fee as is proposed for the creation of one new lot through a subdivision. This is an appropriate fee because the Commission and staff must review the impacts of the new configuration of two lots on the development potential or existing development and also on the surrounding development.

### **F. Different types of Development in one application**

The existing regulations require applicants to pay separate fees for different types of development, even if they are included in one application. The proposed amendments do not change this. However, the current maximum fee is \$20,000, which is also the highest current fee for any one fee category. The proposed amendments raise the maximum fee to the highest proposed fee for any one fee category: \$250,000. The amendments also limit the fees for residential development, so that the maximum fee is \$100,000.

### **G. Additional Reasonable Expenses**

In section 13055(g), the Commission approved deleting the words "in consideration of" and replacing them with "processing", to clarify the language and make it consistent with the language of section 30260(c)(1) of the Coastal Act.

The Commission has also approved additional language in section 13055(g) that would exempt applicants for single-family homes from indemnification conditions. This exemption would not increase fees; it would prevent the Commission from requiring some applicants to reimburse its attorney's fees. The proposed revision is shown in double underline on page 5 of Exhibit A, and adds the following sentence to section 13055(g):

“Notwithstanding the foregoing, the commission shall not require an applicant for a permit for one single-family dwelling to reimburse it for litigation costs or fees that the commission may incur in defending a judicial challenge to the commission's approval of the permit.”

## **H. Fee Reductions**

### **1. Requested by Commission**

Subsection (h)(1) is an existing regulation which allows the Commission to reduce fees where they feel it is necessary or appropriate.

### **2. Affordable Housing**

In subsection (h)(2), the proposed amendments include a fee reduction for certain affordable housing developments.

Government Code section 65915 and Government Code section 65590 require local governments to provide density bonuses and other incentives for the construction of affordable housing. Several local governments in the Coastal Zone, including County of Marin, City/County of San Francisco, County of San Mateo and the City of San Diego, now offer the option of deferred or reduced filing fees for affordable housing.

The Coastal Act also addresses the need to encourage affordable housing. Section 30604(g) of the Coastal Act states:

*“The Legislature finds and declares that it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.”*

### **3. Green Building**

The package of proposed regulations considered by the Commission in July 2007 included a proposal for a fee reduction for green buildings. The language of the proposed fee reduction, as it appeared before the Commission in July, is as follows:

“The executive director of the commission may waive the filing and processing fee in full or in part for an application that displays extraordinary characteristics which substantially benefit coastal resources, such as sustainable site and building

design, water and energy efficiency, habitat protection and public transportation elements.”

Upon further consideration, staff determined that the Commission and permit applicants would benefit from additional clarifying and interpretive language. Therefore, staff proposed an amended regulation with standard criteria for evaluating eligibility, a specific rate of discount, and a mechanism for implementing the fee reduction. These revisions will provide clarity to interested applicants, and help staff implement the regulation.

In its efforts to identify appropriate criteria for evaluating applications for the subject fee reduction, staff reviewed several programs for measuring a development project’s environmental performance, including the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED); Build It Green’s Green Point Rated; as well as a number of local government programs. Staff also met with several experts in the field of green development, including those from public and private sectors, to better understand the direction of green building markets, standards, and regulations.

After careful consideration, staff determined that the U.S. Green Building Council’s LEED standards most closely reflect the intent of the original fee reduction language. LEED employs a point-based rating system, requiring a minimum number of points from various development-related categories. These categories are consistent with the resource protection policies of the Coastal Act. For example, more than half of all available points come from project site design, water resource, and energy efficiency considerations. Related Coastal Act policies include, but are not limited to: Section 30231 (Protection of biological productivity of coastal waters, streams, wetlands); Section 30240 (Protection of ESHA); Section 30250 (Location of new development in existing developed areas); and Section 30253(4) (Minimize energy consumption and vehicle miles traveled). Information about the LEED program is included in Exhibit CC, and information about LEED with regard to climate change is included in Exhibit DD.

The U.S. Green Building Council (USGBC) is a non-profit organization that works with developers, non-profits, and government agencies to facilitate low-impact development. LEED certification is well-known by developers and widely used by governments, including the State of California and at least 9 local jurisdictions within California, either through requirements or incentives. Also, the LEED standard is certified by a third-party, which reduces the need for enforcement, and ensures greater compliance. While staff proposes the LEED Gold standard as the baseline criteria, the proposed regulation does not limit eligibility to LEED certified projects. To the extent that applicants using different criteria can demonstrate a level of environmental achievement in building design equivalent to, or beyond, the LEED Gold standard, such applicants may remain eligible for the fee reduction.

Based on its research and conversations with experts in the field, staff expects an increase in the number of projects using green building design and construction, either through market forces or regulation, such that an incentive may no longer be warranted by 2015. As such, a sunset provision has been incorporated into the proposed regulation that limits eligibility to applications received prior to January 1, 2015. As the sunset date nears, staff will analyze the effectiveness of

the fee-reduction program, and the executive director will provide recommendations as to whether the program should be extended.

The Commission approved staff's proposed regulation which is as follows:

“For applications received prior to January 1, 2015, the executive director of the Commission may reduce the filing fee by 40% for projects that are certified at a minimum of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Gold standard or equivalent. After registering a project with an approved third-party certification program, applicants expecting to obtain a certification that qualifies for the above-mentioned fee reduction must submit 60% of the filing fee required pursuant to section 13055 and a letter of credit or other cash substitute acceptable to the executive director in the amount of the remainder of the required filing fee. The applicant shall submit to the executive director proof of certification at a minimum of LEED Gold or equivalent within three years of the date of permit issuance. Upon receipt of the proof of certification the executive director shall release the letter of credit or other cash substitute to the applicant. If the applicant does not submit to the executive director proof of certification within three years of the date of permit issuance, the Commission will redeem the letter of credit or other cash substitute. The executive director may grant one extension of the three year deadline for good cause. A request for such an extension must be submitted to the executive director in writing at least 60 days prior to the deadline, outlining the reason for the request and the expected completion date. The extension shall not exceed one year.”

#### **I. Increase or Decrease in Filing Fee**

The current regulations have a subsection which addresses a situation in which the applicant pays for an administrative permit, but then the project, or project circumstances, change in a way that requires a regular permit. In this situation, the regulations require the applicant to either pay the regular filing fee before the public hearing, or prior to the issuance of the permit.

The proposed amendments expand this section to require applicants to pay the filing fee of the final project application that is reviewed. If a project changes so that the fee would be larger, then an increased fee would be charged. And if a project changed so that the fee would be smaller, then a refund would be given, but only in circumstances where staff has not already performed substantial work on the initial application.

For example, if an applicant is proposing to subdivide a property into 3 lots and build 3 homes, but then changes the project to subdivide the property into 5 lots with 5 homes, then the applicant would be required to pay the fee necessary for the review of 5 lots with 5 homes. If, however, the applicant initially proposed to subdivide the property into 5 lots with 5 homes, but decided very early on in the review process to subdivide the property into 3 lots with 3 homes, a refund would be given. If the applicant were to reduce the scope of the project late in the review process, or after the staff report was written, they would not be eligible for a refund.

#### **IV. Proposed Changes to Section 13111**

The Commission approved a reference to the proposed fee for appeals in section 13111(b). The purpose of the revision is to ensure the regulations are internally consistent, in light of the proposed amendments. The revision will simply clarify the regulations, so that someone reading section 13111 will be aware of the associated fees. The revision is shown on page 1 of Exhibit B and below:

“For an appeal to the Commission by an applicant pursuant to Public Resources Code sections 30602 or 30603(a)(5) of a denial of a coastal development permit application, the applicant shall submit a filing fee in accordance with the provisions of section 13055(b)(5)(B).”

#### **V. Proposed Changes to Section 13169**

Section 13169 of the Commission’s regulations, attached in Exhibit C, describes permit extensions. Permit extensions can be requested by applicants that have not begun their project before the original permit’s expiration. Often, it is found that there have not been changed circumstances, and a permit extension can be granted. However, when changed circumstances are found by the Commission, the applicant is required to submit additional information regarding the changed circumstances, and then a de novo review of the permit is performed.

The current regulations do not require the applicant to pay a filing fee when changed circumstances have been found. However, the current application form conflicts with this, and does require payment of a fee when changed circumstances have been found. The time it takes to perform a de novo review of a permit under changed circumstances is similar to the time and effort it takes to review a new application. Therefore, the proposed amendments to section 13169 require submittal of the appropriate filing fee before the de novo review, as called for in the current application form.

#### **VI. Proposed Changes to Sections 13255**

Section 13255, attached in Exhibit D, currently applies only to coastal zone boundary adjustments. The proposed amendments broaden the scope of this section to include boundary determinations. The request for boundary determination is defined in the proposed section 13255.1 as a request for a written determination of the precise location of a particular parcel in relation to the boundary of the coastal zone.

Also in proposed section 13255.2(d), the fee for boundary adjustments has been moved to section 13055(b)(7). This allows the fee to be subjected to the escalator clause found in section 13055(c), and it also helps keep all of the fee amounts in 13055 so that future fee updates will not require amendments to more than one section of the regulations.

## **VII. Proposed Changes to Section 13576**

Section 13576, attached in Exhibit E, applies to maps created after LCP certification that show adopted boundaries. This section also applies to the process for revising and interpreting boundary determinations. The proposed amendments add a new subsection to 13576. The new subsection (c) would require a fee for interpretation or revision of boundaries on post-certification maps, and a fee for determining the location of a parcel in relation to the boundaries shown on the map.

## **VIII. Next Steps**

The following next steps will occur:

1. The Commission is required to respond to all public comments in writing. Staff has provided these written responses to the Commission for their approval prior to adoption of the regulations.
2. The Commission may adopt the package of regulation amendments at the November hearing as long as no additional revisions are made at that time. If the Commission does make changes to the package of regulation amendments at the November hearing, an additional comment period will be required by the OAL.
3. After the Commission responds to all public comments in writing and adopts the regulations (targeted for November 2007), staff will submit the final rulemaking package to OAL, which has 30 days to approve or reject the Commission's proposed regulations. The OAL will approve the proposed regulations if they determine that they comply with the standard of review put forth by Government Code section 11349.1 for necessity, authority, clarity, consistency, reference and nonduplication.
4. After OAL approves the package, the amended regulations will be filed with the Secretary of State and will become legally effective. (Target date January 1, 2008)

List of Exhibits:

- A.) Amendments to Section 13055
- B.) Amendments to Section 13111
- C.) Amendments to Section 13169
- D.) Amendments to Section 13255
- E.) Amendments to Section 13576
- F.) Summary of Proposed Fees
- G.) Notice of Proposed Rulemaking
- H.) Initial Statement of Reasons
- I.) Flowchart of Rulemaking Process
- J.) Coastal Commission Filing Fee Revenue
- K.) Projected Filing Fee Revenue if Fees are Adopted as Proposed
- L.) Comment Letter 1
- M.) Comment Letter 2
- N.) Comment Letter 3
- O.) Comment Letter 4
- P.) Comment Letter 5
- Q.) Comment Letter 6
- R.) Comment Letter 7
- S.) 1991 Fee Update
- T.) Summary of Fiscal Year 2005-2006 Commission Actions
- U.) Survey Results
- V.) Survey Summary
- W.) Fee Study
- X.) Sonoma County Filing Fees
- Y.) San Mateo County Filing Fees
- Z.) Santa Barbara County Filing Fees
- AA.) City of Huntington Beach Filing Fees
- BB.) City of Oxnard Filing Fees
- CC.) Fact Sheet about LEED Green Building Rating System
- DD.) Fact Sheet about LEED and Climate Change

California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007

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ARTICLE 4. SCHEDULE OF FILING FEES FOR FILING AND PROCESSING PERMIT APPLICATIONS AND OTHER FILINGS

§ 13055. Fees.

(a) ~~Permit filing and processing fees~~ Filing fees for processing coastal development permit applications shall be as follows:

- (1) ~~Two hundred dollars (\$200)~~ \$2,500 for any development qualifying for an administrative permit.
- (2) (A) For up to 4 detached, single-family residences ~~a single-family residence~~, the fee for each residence shall be based on the square footage of the proposed residence as shown in the following table:

Square Footage of Proposed Residence	Fee
1500 or less	<del>\$250</del> <u>\$3,000</u>
1501 to 5000	<del>\$500</del> <u>\$4,500</u>
<del>5001 or more</del> <u>to 10,000</u>	<del>\$1000</del> <u>\$6,000</u>
<u>10,001 or more</u>	<u>\$7,500</u>

(B) For more than 4 detached, single-family residences, the fee shall be as follows:

- (1) For residences of 1500 square feet or less, the fee shall be \$15,000 or \$1,000 per residence, whichever is greater, but not to exceed \$100,000;
- (2) For residences of 1501 to 5000 square feet, the fee shall be \$22,500 or \$1,500 per residence, whichever is greater, but not to exceed \$100,000;
- (3) For residences of 5001 to 10,000 square feet, the fee shall be \$30,000 or \$2,000 per residence, whichever is greater, but not to exceed \$100,000;
- (4) For residences of 10,001 or more square feet, the fee shall be \$37,500 or \$2,500 per residence, whichever is greater, but not to exceed \$100,000.

For developments that include residences of different sizes, the fee shall be based upon the average square footage of all the residences.

(C) As used herein, the term “square footage” includes gross internal floor space of the main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings.)

**California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007**

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- (3) ~~Six hundred dollars (\$600) for lot line adjustments, or for divisions of land where there are single family residences already built and only one new lot is created by the division of~~
- (3) (A) ~~f~~ For multi-family units up to 4 attached residential units the fee shall be \$7,500. up to four (4) units.
- (4) (B) ~~For more than 4 attached residential units, the fee shall be Two thousand dollars (\$2,000) or one hundred twenty dollars (\$120) per unit, whichever is greater, but not to exceed twenty thousand dollars (\$20,000).~~ \$10,000 or \$750 per unit, whichever is greater, but not to exceed \$50,000. for multi-unit residential development greater than four (4) units.
- (54) All residential projects (whether single or multi-unit) that include more than ~~75~~ 50 cubic yards of grading shall be subject to an additional fee of ~~two hundred dollars (\$200)~~ as shown on the following table:

<u>Cubic Yards of Grading</u>	<u>Fee</u>
<u>51 to 100</u>	<u>\$500</u>
<u>101 to 1000</u>	<del>\$750</del> <u>\$1,000</u>
<u>1001 to 10,000</u>	<del>\$1,000</del> <u>\$2,000</u>
<u>10,001 to 100,000</u>	<del>\$1,250</del> <u>\$3,000</u>
<u>100,001 or more to 200,000</u>	<del>\$1,500</del> <u>\$5,000</u>
<u>200,001 or more</u>	<u>\$10,000</u>

This fee does not apply to residential projects that qualify for administrative permits.

- (65) For office, commercial, convention, or industrial (including energy facilities as defined in Public Resouces Code section 30107) development, and for all other development not otherwise identified in this section, the fee shall be ~~based upon~~ based upon either the gross square footage as shown in (5)(A) or the development cost as shown in following table: (5)(B) whichever is greater.

(A) Fees based upon gross square footage shall be as follows:

<u>Square Footage of Proposed Proposed Development</u>	<u>Fee</u>
<u>1000 or less</u>	<del>\$500</del> <u>\$5,000</u>
<u>1001 to 10,000</u>	<del>\$2,000</del> <u>\$10,000</u>
<u>10,001 to 25,000</u>	<del>\$4,000</del> <u>\$15,000</u>
<u>25,001 to 50,000</u>	<del>\$8,000</del> <u>\$20,000</u>
<u>50,001 to 100,000</u>	<del>\$12,000</del> <u>\$30,000</u>
<u>100,001 or more</u>	<del>\$20,000</del> <u>\$50,000</u>

**California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007**

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- (7) ~~Twenty thousand dollars (\$20,000) for major energy production and fuel processing facilities, including but not limited to, the construction or major modification of offshore petroleum production facilities, tanker terminals and mooring facilities, generating plants, petroleum refineries, LNG gassification facilities and the like.~~
- (8) ~~(B)(1) For changes in intensity of use; for office, commercial, convention or industrial development not otherwise identified in this section; and for all other development not otherwise identified in this section; the fee shall be based on the development cost as shown in the following table~~ Fees based upon development cost shall be as follows:

Development Cost	Fee
<u>\$50,000</u> <del>\$100,000</del> or less	<u>\$3,000</u>
<u>\$50,001 to \$100,001</u> <del>to \$500,000</del> or less	<u>\$600</u> <del>\$6,000</del>
<u>\$100,001 to \$500,001</u> <del>to \$2,000,000</del>	<u>\$2,000</u> <del>\$10,000</del>
<u>\$500,001 to 1,250,000</u> <del>\$2,000,001 to \$5,000,000</del>	<u>\$4,000</u> <del>\$20,000</del>
<u>\$1,250,001 to 2,500,000</u> <del>\$5,000,001 to \$10,000,000</del>	<u>\$8,000</u> <del>\$25,000</del>
<u>\$2,500,001 to 5,000,000</u> <del>\$10,000,001 to \$25,000,000</del>	<u>\$12,000</u> <del>\$30,000</del>
<u>\$5,000,001 or more to \$10,000,000</u> <del>\$25,000,001 to \$50,000,000</del>	<u>\$20,000</u> <del>\$50,000</del>
<u>\$10,000,001 to \$100,000,000</u> <del>\$50,000,001 to \$100,000,000</del>	<u>\$100,000</u>
<u>\$100,000,001 or more</u>	<u>\$250,000</u>

(2) As used herein, the term "development cost" includes all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission's jurisdiction.

- (6) ~~Two hundred dollars (\$200)~~ \$1,000 for immaterial amendments to coastal development permits, and fifty percent (50%) of the permit fee that would currently apply to the permitted development for material amendments to coastal development permits.
- (7) ~~Two hundred dollars (\$200)~~ \$1,000 for emergency permits. A fee paid for an emergency permit shall be credited toward the fee charged for the follow-up coastal development permit.
- (11) ~~Two hundred dollars (\$200) for extensions and reconsiderations of coastal development permits for single family dwellings.~~
- (12) ~~Four hundred dollars (\$400) for extensions and reconsiderations of all other coastal development permits.~~
- (13) ~~Two hundred dollars (\$200) for a "de minimis" waiver of a coastal development permit application pursuant to section 30624.7 of the Coastal Act and for a waiver pursuant to sections 13250(e) and 13253(e) of these regulations.~~

**California Coastal Commission**  
**Proposed Amendments to §13055**  
**October 30, 2007**

*Originally Proposed Amendments are shown in Strikeout and Underline*  
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~~(14) One hundred dollars (\$100) for a second continuance and any subsequent continuance requested by the applicant and approved by the commission. There is no fee charged for the first continuance requested by the applicant.~~

~~(158) Five hundred dollars (\$500)~~ \$2,500 for temporary events that require a permit, unless the application is scheduled on the administrative calendar, in which case the fee shall be ~~two hundred dollars (\$200)~~ \$1,000.

(b) Filing fees for filings other than coastal development permit applications shall be as follows:

(1) (A) \$500 for either an extension or reconsideration of coastal development permit for a single-family dwellings.

(B) \$1,000 for an extension or reconsideration of any other coastal development permit.

(2) \$500 for a "de minimis" waiver of a coastal development permit application pursuant to Public Resources Code section 30624.7 and for a waiver pursuant to sections 13250(c) and 13253(c) of this title.

(3) \$250 for any written confirmation of exemption from permit requirements of Public Resources Code section 30600.

(4) \$1,000 for any continuance requested by the applicant, except the first continuance.

(5) The filing fee for:

(A) any certification of consistency that is submitted to the Commission pursuant to sections 307(c)(3)(A) or (B) of the Coastal Zone Management Act of 1972 (16 USC section 1456(c)(3)(A),(B)), or

(B) any appeal to the Commission pursuant to Public Resources Code sections 30602 or 30603(a)(5) by an applicant of a denial of a coastal development permit application

shall be determined in accordance with the provisions of subsection (a).

(6) The request for a boundary determination pursuant to either section 13255.1 or 13576(c) shall be accompanied by a filing and processing fee of \$250. For a request for a boundary determination pursuant to section 13255.1 or 13576(c)(2) that pertains to two or more parcels, the fee shall be paid on a per parcel basis.

(7) The request for a boundary adjustment pursuant to section 13255.2 shall be accompanied by a filing and processing fee of \$5,000.

**California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007**

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(c) The fees established in this section shall be increased annually by an amount calculated on the basis of the percentage change from the year in which this provision becomes effective in the California Consumer Price Index for Urban Consumers as determined by the Department of Industrial Relations pursuant to Revenue and Taxation Code Section 2212. The increased fee amounts shall become effective on July 1 of each year. The new fee amounts shall be rounded to the nearest dollar.

~~(db)~~ Fees for an after-the-fact (ATF) permit application shall be ~~doubled~~ five times the amount specified in section (a) unless such added increase is s-are waived reduced by the Executive Director when it is determined that ~~the permit could be processed by staff without significant additional review time resulting from the processing of the violation.~~ either:

- (1) the ATF permit application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit.) or
- (2) the owner did not undertake the development for which the owner is seeking the ATF permit.

but in no case shall such reduced fees be less than double the amount specified in section (a) above. For applications that include both ATF development and development that has not yet occurred, the ATF fee shall apply only to the ATF development. In addition, payment of an ATF fee shall not relieve any persons from fully complying with the requirements of Division 20 of the Public Resources Code or of any permit granted thereunder or from any penalties imposed pursuant to Chapter 9 of Division 20 of the Public Resources Code.

~~(ee)~~ Where a development consists of a land division including, but not limited to, lot line adjustments or issuance of a conditional certificate of compliance pursuant to Government Code section 66499.35(b), each lot shall be considered as one single family residence for the purpose of calculating the application fee the fee shall be \$3,000 for each of the first four lots, plus \$500 \$1,000 for each additional lot. If an application includes both subdivision and the construction of residences, the fee shall be based upon the construction of the proposed residences with no additional fee for the subdivision. Conversion to condominiums shall be considered a division of the land.

~~(fd)~~ Except as provided in subsection (c) above, if If different types of developments are included in one permit application, the fee shall be the sum of the fees that would apply if each development was proposed in a separate application. However, in no case shall the fee for residential development exceed \$100,000 and in no case shall the fee for all other development such application exceed twenty thousand dollars (\$20,000) \$250,000.

(ge) In addition to the above fees, the commission may require the applicant to reimburse it for any additional reasonable expenses incurred in ~~its consideration of~~ processing the permit application, including the costs of providing public notice. Notwithstanding the foregoing, the

**California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007**

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commission shall not require an applicant for a permit for one single-family dwelling to reimburse it for litigation costs or fees that the commission may incur in defending a judicial challenge to the commission's approval of the permit.

(h) The fees specified in sections (a) and (b) may be modified under the following circumstances:

- (1) The executive director shall waive the application fee where requested by resolution of the commission.
- (2) The executive director of the commission may waive the filing and processing fee in full or in part for an application for a housing development that contains housing units the occupancy of which by persons of low or moderate income as defined in Health and Safety Code section 50093 is assured for the period of time specified in Government Code section 65915(c)(1).
- ~~(3) The executive director of the commission may waive the filing and processing fee in full or in part for an application that displays extraordinary characteristics which substantially benefit coastal resources, such as sustainable site and building design, water and energy efficiency, habitat protection and public transportation elements.~~
- (3) For applications received prior to January 1, 2015, the executive director of the Commission may reduce the filing fee for projects that are certified at a minimum of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Gold standard or equivalent. After registering a project with an approved third-party certification program, applicants expecting to obtain a certification that qualifies for the above-mentioned fee reduction must submit 60% of the filing fee required pursuant to section 13055 and a letter of credit or other cash substitute approved by the executive director in the amount of the remainder of the required filing fee. After submitting proof of certification at a minimum of LEED Gold or equivalent, the letter of credit or other cash substitute will be released by the Commission to the applicant. If the applicant does not receive a minimum of LEED Gold certification or equivalent within three years of the date of permit issuance, the Commission will cash the letter of credit or other cash substitute. The executive director may grant an extension of the three year deadline for good cause. Request for extension must be submitted to the executive director in writing at least 60 days prior to the deadline, outlining the reason for the request and the expected completion date. The extension shall not exceed one year.

(ig) The required fee shall be paid in full at the time an application is filed. However, applicants for an administrative permit shall pay an additional fee after filing if the executive director or the commission determines that the application cannot be processed as an administrative permit. The additional fee shall be the amount necessary to increase the total fee paid to the regular fee. The regular fee is the fee determined pursuant to sections ~~(a)(2)-(15), (b)-(f) above~~ this section. In

**California Coastal Commission  
Proposed Amendments to §13055  
October 30, 2007**

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addition, if the executive director or the commission determines that changes in the nature or description of the project that occur after the initial filing result in a change in the amount of the fee required pursuant to this section, the applicant shall pay the amount necessary to change the total fee paid to the fee so determined. If the change results in a decreased fee, a refund will be due only if no significant staff review time has been expended on the original application. If the change results in an increased fee, ~~the~~ the additional fee shall be paid before the permit application is scheduled for hearing by the commission. If the fee is not paid prior to commission action on the application, the commission shall impose a special condition of approval of the permit. Such special condition shall require payment of the additional fee prior to issuance of the permit.

**California Coastal Commission  
Proposed Amendments to § 13111  
October 30, 2007**

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ARTICLE 18. RECONSIDERATION

§ 13111. Filing of Appeal.

(a) An appeal of a local government's decision on a coastal development permit application (or local government equivalent) may be filed by an applicant or any aggrieved person who exhausted local appeals, or any two (2) members of the Commission. The appeal must contain the following information:

The appeal must contain the following information:

- (1) the name and address of the permit applicant and appellant;
- (2) the date of the local government action;
- (3) a description of the development;
- (4) the name of the governing body having jurisdiction over the project area;
- (5) the names and addresses of all persons who submitted written comments or who spoke and left his or her name at any public hearing on the project, where such information is available;
- (6) the names and addresses of all other persons known by the appellant to have an interest in the matter on appeal;
- (7) the specific grounds for appeal;
- (8) a statement of facts on which the appeal is based;
- (9) a summary of the significant question raised by the appeal.

The filing of the notice of appeal should also contain information which the local government has specifically requested or required.

(b) For an appeal to the Commission by an applicant pursuant to Public Resources Code sections 30602 or 30603(a)(5) of a denial of a coastal development permit application, the applicant shall submit a filing fee in accordance with the provisions of section 13055(b)(5)(B).

~~(b)~~ (c) The appeal must be received in the Commission district office with jurisdiction over the local government on or before the tenth (10th) working day after receipt of the notice of the permit decision by the executive director.

**California Coastal Commission  
Proposed Amendments to § 13111  
October 30, 2007**

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(~~ed~~) The appellant shall notify the applicant, any persons known to be interested in the application, and the local government of the filing of the appeal. Notification shall be by delivering a copy of the completed Notice of Appeal to the domicile(s), office(s), or mailing address(es) of said parties. In any event, such notification shall be by such means as may reasonably advise said parties of the pendency of the appeal. Unwarranted failure to perform such notification may be grounds for dismissal of the appeal by the Commission.

**California Coastal Commission  
Proposed Amendments to §13169  
October 30, 2007**

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ARTICLE 6. EXTENSION OF PERMITS

§ 13169. Extension of Permits.

(a) Prior to the time that commencement of development under a permit granted by either the regional commission or the commission must occur under the terms of the permit or Section 13156, the applicant may apply to the executive director of the commission for an extension of time not to exceed an additional one year period. The executive director shall not accept the application unless it is accompanied by all of the following:

- (1) evidence of an approved, unexpired permit,
- (2) evidence of the applicant's legal interest in the property involved in the permit,
- (3) the fee specified in section 13055**(b)(1)** of these regulations, and
- (4) stamped envelopes addressed to each person specified in section 13054 of these regulations and each person who testified, orally or in writing at prior permit hearing(s).

(b) For those applications accepted, the executive director shall determine whether there are changed circumstances that may affect the consistency of the development with the policies of Chapter 3 of the Coastal Act or with a certified local coastal program, if applicable. If the executive director determines that there are no changed circumstances that may affect consistency of the development, he or she shall mail notice of such determination including a summary of the procedures set forth in this section to all parties the executive director has reason to know may be interested in the application including all persons identified in section 13054 of these regulations and all persons who participated in previous permit hearings. The applicant shall post such notice at the project site within three (3) days of the executive director's mailing of the notice to interested parties. The executive director shall also report the determination to the commission to provide the commission with an opportunity to object to the executive director's determination. The time for commencement of development shall be extended for one year from the expiration date of the permit if both of the following occur:

- (1) no written objection to the executive director's determination is received within 10 working days after mailing notice, and
- (2) three commissioners do not object to the executive director's determination.

(c) If the executive director received a written objection to his or her determination but concludes that the objection does not identify changed circumstances that may affect the consistency of the development with the Coastal Act or a certified local coastal program, if applicable, the executive director shall report this conclusion to the commission at the same time that the executive director reports the determination to the commission in accordance with subsection (b)

**California Coastal Commission**  
**Proposed Amendments to §13169**  
**October 30, 2007**

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above. The executive director shall provide a copy of the letter(s) of objection to the commission with the report. If three commissioners object to the extension on grounds that there may be changed circumstances that affect consistency, the executive director shall schedule the extension for hearing(s) in accordance with subsection (d) below. If three commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit.

(d) If the executive director receives an objection to his or her determination and concludes that the objection identifies changed circumstances that may affect the consistency of the development or if the executive director determines that due to changed circumstances the proposed development may not be consistent, the application shall be scheduled for a hearing on whether there are changed circumstances that affect consistency. The executive director shall provide notice of such hearing to any person(s) the executive director has reason to know would be interested in the matter. The executive director shall prepare a report for the hearing that describes any pertinent changes in conditions or circumstances relating to each requested permit extension.

(1) If three (3) commissioners determine that there are changed circumstances that affect consistency of the development with Chapter 3 policies of the Coastal Act or with a certified local coastal program if applicable, the extension shall be denied and upon payment of the filing fee specified in section 13055(a) of these regulations for an application for a coastal development permit the development shall be set for a full hearing of the commission pursuant to Subchapter 1 of these regulations. However, except as otherwise provided in the preceding sentence, the applicant shall not be required to file a new permit application but instead, shall submit any information that the executive director determines is necessary to evaluate the effect of the changed circumstances.

(2) If no such determination is made by three commissioners, the time for commencement of development shall be extended for one year from the expiration date of the permit.

(e) Any extensions applied for prior to the expiration of the permit shall automatically extend the time for commencement of development until such time as the commission has acted upon the extension request; provided, however, that the applicant shall not undertake development during the period of automatic extension provided in this section.

(f) The procedures specified in this section shall apply to extensions of all permits approved by the commission, including those approved on appeal, on the consent calendar and as administrative permits.

**California Coastal Commission**  
**Proposed Amendmetns to §13255**  
**October 30, 2007**

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ARTICLE 1. BOUNDARY ADJUSTMENT AND BOUNDARY DETERMINATION  
REQUESTS

§ 13255.0. Scope.

This subchapter shall govern (a) the request for a determination of the precise location of a particular parcel or area of land in relation to the boundary of the coastal zone, and (b) the request, review and implementation of proposed minor adjustments to the inland boundary of the coastal zone pursuant to Public Resources Code Section 30103(b). Boundary adjustments made pursuant to this subchapter shall be determinative for all purposes with respect to the California Coastal Act of 1976.

§ 13255.1. Request for Boundary Determination

Any request for a written determination by the Commission of the precise location of a particular parcel or area of land in relation to the boundary of the coastal zone shall be accompanied by payment of the fee set forth in Section 13055(b)(6).

§ 13255.42. Request for Boundary Adjustment.

(a) The owner of the affected lot or parcel, the local government of jurisdiction, or the executive director of the commission may propose that the inland boundary of the coastal zone be adjusted to avoid bisecting any lot or parcel, or to conform the boundary to readily identifiable natural or manmade features. The request to adjust the boundary shall be made in writing to the commission.

(b) The request for a boundary adjustment shall be accompanied by sufficient information to enable the commission to determine whether the proposed adjustment is consistent with Public Resources Code Section 30103(b). This information shall include:

- (1) Name and address of the owner of the affected lot or parcel.
- (2) Names and addresses of all occupants of the affected lot or parcel.
- (3) A description and documentation of the applicant's legal interest in the affected lot or parcel.
- 4) Names and addresses of all owners and occupants of all lots or parcels wholly or partially within 100 feet of the affected lot or parcel and the addresses of all such lots or parcels;
- (5) A map of suitable scale to show the present and proposed location of the coastal zone boundary, all lots or parcels within 100 feet of the affected lot or parcel, and the existence and location of all readily identifiable natural and manmade features;

**California Coastal Commission  
Proposed Amendmetns to §13255  
October 30, 2007**

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(6) A description of the existing use of the affected lot or parcel and the nearby lands.

(7) A discussion of the reasons is for the request that the coastal zone boundary be adjusted.

(c) The person requesting the adjustment shall post a conspicuous notice of the proposed adjustment at the time the request is submitted to the commission. The form and location of the posted notice shall be similar to that required by Section 13054(b) for permit matters.

(d) The request for a boundary adjustment shall be accompanied by a filing and processing fee as set forth in Section 13055(b)(7). ~~to be paid by check or money order in an amount determined as follows:~~

~~—(1) Twenty-five dollars (\$25) if the portion of the lot or parcel affected by the adjustment is less than or equal to five acres in area.~~

~~—(2) Fifty dollars (\$50) if the portion of the parcel affected by the adjustment is greater than five acres but less than or equal to forty acres in area.~~

~~—(3) One hundred dollars (\$100) if the portion of the parcel affected by the adjustment is greater than forty acres but less than or equal to one thousand acres in area.~~

~~—(4) Two hundred and fifty dollars (\$250) if the portion of the parcel affected by the adjustment is greater than one thousand acres in area.~~

The executive director of the commission may waive the filing and processing fee in full or in part where the request concerns the same lot or parcel considered for a previous boundary adjustment or permit application where no substantial staff work is required or where the request is made by the local government of jurisdiction.

§ 13255.23. Notification Requirements.

The person requesting the adjustment shall provide notice to affected parties, property owners and occupants of any parcel within 100 feet of any boundary of the affected parcel and to any other persons known to be interested in the proposed boundary adjustments. This notice shall comply with the requirements prescribed in Section 13054 for permit matters.

**California Coastal Commission  
Proposed Amendments to §13576  
October 30, 2007**

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ARTICLE 18. MAP REQUIREMENT AND BOUNDARY DETERMINATION CRITERIA

§ 13576. Map(s) of Areas of Commission Permit and Appeal Jurisdiction.

(a) In conjunction with final Local Coastal Program certification or the delegation of coastal development permit authority pursuant to Public Resources Code Section 30600.5, whichever occurs first, the Commission shall, after public hearing, adopt a map or maps of the coastal zone of the affected jurisdiction that portrays the areas where the Commission retains permit authority pursuant to Public Resources Code Sections 30603(a)(1) and (a)(2), or 30600.5(d). These maps shall be drawn based on the criteria for permit and appeal boundary determinations, set forth in Section 13577 below, and will serve as the official maps of the Commission's permit and appeal jurisdiction. The Commission, in consultation with the local government, shall update these maps from time to time, where changes occur in the conditions on which the adopted maps were based, or where it can be shown that the location of the mapped boundary does not adequately reflect the intended boundary criteria. Revisions of the adopted maps shall be based on precise boundary determinations made using the criteria set forth in Section 13577. The revised maps shall be filed with the affected jurisdiction within 30 days of adoption by the Commission. In addition, each adopted map depicting the permit and appeal jurisdiction shall include the following statement:

"This map has been prepared to show where the California Coastal Commission retains permit and appeal jurisdiction pursuant to Public Resources Code Sections 30519(b), 30603(a)(1) and (a)(2) and 30600.5(d). In addition, development may also be appealable pursuant to Public Resources Code Sections 30603(a)(3), (a)(4), and (a)(5). If questions arise concerning the precise location of the boundary of any area defined in the above sections, the matter should be referred to the local government and/or the Executive Director of the Commission for clarification and information. This plat may be updated as appropriate and may not include all lands where permit and appeal jurisdiction is retained by the Commission"

(b) In the case of local governments which have received Commission approval of their Phase III (implementation) Work Program and Budget prior to January 1, 1980, the permit and appeal area maps shall be adopted by the Commission prior to the certification becoming effective pursuant to Section 13547 of the Commission's regulations.

(c) Any request for a written determination for either (1) interpretation or revision of any boundary shown in any permit and appeal jurisdiction map approved pursuant to subsection (a), or (2) a determination of the precise location of a particular parcel or area of land in relation to any boundary shown on any such map, shall be accompanied by payment of the fee set forth in Section 13055(b)(6).

## Current and Proposed Fees

Fee #	CCC Fee Category	CCC Current Fee	CCC Proposed Fee
1	Waiver	\$200	\$500
2	Administrative Permit	\$200	\$2,500
3	Up to 4 SFRs <1,500 sq. feet	\$250/each	\$3,000/each
4	Up to 4 SFRs 1,501<5,000 sq. feet	\$500/each	\$4,500/each
5	Up to 4 SFRs 5,001<10,000 sq. feet	\$1,000/each	\$6,000/each
6	Up to 4 SFRs >10,001 sq. feet	\$1,000/each	\$7,500/each
7	5 or more SFRs average <1,500 sq. feet	\$250/each	\$15,000 or \$1,000/each*
8	5 or more SFRs average 1,501<5,000 sq. feet	\$500/each	\$22,500 or \$1,500/each*
9	5 or more SFRs average 5,001<10,000 sq. feet	\$1,000/each	\$30,000 or \$2,000/each*
10	5 or more SFRs average >10,001 sq. feet	\$1,000/each	\$37,500 or \$2,500/each*
11	Attached Residential up to 4 units	\$600	\$7,500
12	More than 4 Attached Residential units	\$2,000 or \$120 per unit*	\$10,000 or \$750 per unit*
13	Subdivisions	\$250 - \$1,000 per lot	\$3,000 for each of the first four lots. \$1,000 for each additional lot.
14	Grading 51<100 c.y.	\$0 - \$200	\$500
15	Grading 101<1000 c.y.	\$200	\$1,000
16	Grading 1,001<10,000 c.y.	\$200	\$2,000
17	Grading 10,001<100,000 c.y.	\$200	\$3,000
18	Grading 100,001<200,000 c.y.	\$200	\$5,000
18.5	Grading >200,001 c.y.	\$200	\$10,000
19	Commercial/Industrial <1,000 sq. feet	\$500	\$5,000
20	Commercial/Industrial 1,001<10,000 sq. feet	\$2,000	\$10,000
21	Commercial/Industrial 10,001<25,000 sq. feet	\$4,000	\$15,000
22	Commercial/Industrial 25,001<50,000 sq. feet	\$8,000	\$20,000
23	Commercial/Industrial 50,001<100,000 sq. feet	\$12,000	\$30,000
24	Commercial/Industrial >100,001 sq. feet	\$20,000	\$50,000
25	Commercial/Industrial <\$100,000	\$600	\$3,000
26	Commercial/Industrial \$100,001<\$500,000	\$600	\$6,000
27	Commercial/Industrial \$500,001<\$2,000,000	\$2,000	\$10,000
28	Commercial/Industrial \$2,000,001<\$5,000,000	\$4,000	\$20,000
29	Commercial/Industrial \$5,000,001<\$10,000,000	\$8,000	\$25,000
30	Commercial/Industrial \$10,000,001<\$25,000,000	\$12,000	\$30,000
31	Commercial/Industrial \$25,000,001<\$50,000,000	\$20,000	\$50,000
32	Commercial/Industrial \$50,000,001<\$100,000,000	\$20,000	\$100,000
33	Commercial/Industrial >\$100,000,000	\$20,000	\$250,000
34	Emergency permit	\$200	\$1,000
35	Immaterial amendment	\$200	\$1,000
36	Material amendment	50% of fee	50% of fee
37	Extension or reconsideration for single-family residences	\$200	\$1,000
38	Extension or reconsideration for all other developments	\$400	\$2,000
39	Temporary Events	\$500	\$2,500
40	Permit Exemption	\$0	\$250
41	Continuance	\$100	\$2,000
42	Boundary Determination	\$0	\$250
43	Boundary Adjustment	\$25 - \$250	\$5,000
44	After the Fact	2x normal permit fee	5x normal permit fee

\*Whichever is greater

# CALIFORNIA COASTAL COMMISSION

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## NOTICE OF PROPOSED RULEMAKING

**NOTICE IS HEREBY GIVEN** that the **CALIFORNIA COASTAL COMMISSION** is proposing to amend and adopt various sections of the Commission's regulations in Chapters 5, 6 and 8 of Division 5.5 of Title 14 of the California Code of Regulations. These chapters include fees for filing applications with the Commission.

A written comment period has been established commencing on **September 14, 2007** and terminating on **October 29, 2007**. Public hearings are scheduled on Friday, October 12, 2007 at 9 a.m. at the Crowne Plaza Los Angeles Harbor Hotel, in San Pedro, CA, and Wednesday, November 14, 2007 at 9 a.m. at the Sheraton San Diego Hotel, in San Diego, CA. Interested persons may comment orally or in writing about the proposed changes at either of the two hearings or may submit written comments concerning the proposed changes to the **CALIFORNIA COASTAL COMMISSION, 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA 95060-4508**. Written comments may be submitted to the Commission on the day of the hearing at the meeting prior to the Commission's consideration of the matter. It is requested, but not required, that written comments be mailed so that they are received no later than three (3) working days prior to the date of the public hearing. It is requested, but not required, that persons who submit written comments to the Commission at the hearing provide twenty (20) copies of such comments. This will ensure that each commissioner will receive a copy.

### AUTHORITY AND REFERENCE

The authority for the proposed regulatory action is found in Public Resources Code section 30333 wherein the California Coastal Commission is authorized to adopt and amend regulations to carry out the purposes and provisions of the Coastal Act and to govern procedures of the Commission.

The proposed regulatory action would implement, interpret, and make specific Public Resources and Government Code sections as follows:

### AUTHORITY AND REFERENCE CITATIONS FOR REGULATORY ACTION TO TITLE 14, CHAPTERS 5, 6 AND 8 TO COASTAL COMMISSION REGULATIONS

Section	Authority	Reference
13055	Public Resources Code § 30333	Public Resources Code § 30620(c), 30253
13169	Public Resources Code § 30333	Public Resources Code § 30600, 30604 and 30620.6
13255.0	Public Resources Code § 30333	Public Resources Code § 30103(b)
13255.1	Public Resources Code § 30333	Public Resources Code § 30103(b)
13255.2	Public Resources Code § 30333	Public Resources Code § 30103(b)
13576	Public Resources Code § 30333 30501 and 30620.6	Public Resources Code § 30519 and 30603

**Exhibit G**

11/14/2007 – W3a

Page 1 of 5

## **INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

The California Coastal Commission (hereinafter “Commission”) proposes to amend various sections of the Commission’s regulations in Chapters 5, 6 and 8 of Division 5.5 of Title 14 of the California Code of Regulations. These chapters include fees for submitting permit applications and other filings to the Commission. The proposed amendments update the Commission’s filing fees, reorganize the regulations for clarity, and clarify ambiguities. The majority of the Commission’s fees are contained within section 13055 of the regulations. Other sections related to filing fees which are proposed to be amended are: 13169, 13255 and 13576.

The proposed amendments include the following:

1. Increased fee amounts
2. New fee categories for:
  - a. Federal Consistency Certifications
  - b. Boundary Determinations
  - c. Appeals pursuant to sections 30602 and 30603(a)(5) of the Coastal Act
  - d. Written exemptions from coastal development permits
3. Escalator clause, in proposed section 13055(c), which would allow the Commission to update the fees each year according to inflation without undertaking the rulemaking process
4. Two new provisions for fee reductions in proposed sections 13055(h)(2) and 13055(h)(3): one for affordable housing and one for green building

The purpose of the amendments is to establish fees that are based on a portion of the average costs that the Commission incurs in processing permit applications and other filings. Currently, the Commission’s filing fee revenue, which is directed to the Coastal Access Account, constitutes approximately 8% of its regulatory budget. The proposed amendments would increase the filing fee revenue so that it would constitute up to 50% of the Commission’s regulatory costs and budget. Because there are numerous categories of regulatory actions that the Commission cannot charge fees for, such as Local Coastal Program amendments and public agency applications, the Commission thinks that a target of 50% of the Commission’s regulatory costs is appropriate.

To establish appropriate fee amounts, Commission staff first analyzed the complexity of applications that are received within each fee category. Fees for more complex applications are higher than fees for less complex applications. Elements of complexity that affect the proposed fee amounts include: the square footage of the proposed development; the total cost of development; the typical number of technical studies associated with the development; the time and expertise required to perform services applied for; and the impact of the development on coastal resources, which requires analysis under the Coastal Act.

Commission staff also conducted a survey of local governments which charge fees in the Coastal Zone for application review that is similar to the application review performed by the Commission. A detailed description of the survey can be found below in the section titled, "Technical studies." This survey was used to ensure that the proposed fees are not excessive in comparison to those charged by local governments.

#### **LOCAL MANDATE**

The proposed regulations do not impose a local mandate.

#### **NONDISCRETIONARY COSTS OR SAVINGS IMPOSED UPON LOCAL AGENCIES**

None

#### **EFFECTS ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

None

#### **COST OR SAVINGS TO STATE AGENCIES OR IN FEDERAL FUNDING TO THE STATE**

None

#### **SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

The proposed amendments will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This is because only a very small percentage of businesses in the Coastal Zone are required to pay the Commission's filing fees. These are the businesses which voluntarily elect to undertake development in the coastal zone and as a result, submit permit applications and other filings to the Commission. Additionally, once a local government has coastal permitting authority to issue permits within their jurisdiction, businesses will then apply for a coastal development permit from their local government. Also, these businesses are only required to pay a one time fee, typically at the time of development, which is a very small percentage of the project's total development cost. Furthermore, the Commission's proposed fees are not excessive in comparison to those charged by local governments which issue coastal development permits in the Coastal Zone.

#### **COST IMPACTS ON INDIVIDUALS OR BUSINESSES**

The proposed regulations will have a range of cost impacts on individuals and businesses. The majority of the cost impacts result from the increased amount of existing fees, but in some cases, they result from the establishment of a new fee. The individuals and businesses directly affected by this action are those persons and businesses who voluntarily elect to undertake development in the coastal zone and as a result, submit permit applications and other filings to the

Commission. These include individual homeowners, commercial and retail businesses, developers of hotels, resorts, and residential communities, and any other business that chooses to undertake development in the coastal zone in an area subject to the permit jurisdiction of the Coastal Commission.

Those individuals and businesses that do not undertake activities which require an application filing fee from the Commission will not have any cost impacts. Individuals and businesses that choose to undertake activities which require an application filing fee from the Commission may be charged new or additional fees which start at \$250. Depending on the type and intensity of development being proposed, individual landowners would typically be charged \$250 to \$6,500 more than the current fee. Business owners would be charged fees anywhere from \$250 for a boundary determination request, to \$250,000 for a large project with a development cost of over \$100,000,000.

Finally, the proposed regulations contain provisions that would minimize the fee increase for projects which incorporate affordable housing or green building. And, the regulations allow the Executive Director to waive the filing fee in whole or in part when requested by resolution of the Commission.

#### **EFFECTS ON JOBS OR BUSINESSES**

The proposed regulations will not eliminate or create jobs or businesses or expand businesses in the State of California.

#### **SIGNIFICANT EFFECT ON HOUSING COSTS**

None

#### **ALTERNATIVES**

The California Coastal Commission must determine that no reasonable alternative it has considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action. Any interested person may submit statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing or during the public comment period.

#### **CONTACT PERSON**

Inquiries and substantive questions on the proposed regulations should be directed to Madeline Cavalieri at (415) 904-5233 or [mcavalieri@coastal.ca.gov](mailto:mcavalieri@coastal.ca.gov).

#### **COMMENTS**

Written comments should be directed to Madeline Cavalieri, California Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060-4508, or [mcavalieri@coastal.ca.gov](mailto:mcavalieri@coastal.ca.gov) and must

**Exhibit G**

11/14/2007 – W3a

Page 4 of 5

be received no later than October 29, 2007 at 5:00 p.m. Written and oral comments will be accepted at the public hearings which will take place on Friday, October 12, 2007 at 9 a.m. at the Crowne Plaza Los Angeles Harbor Hotel, in San Pedro, CA and Wednesday, November 14, 2007 at 9 a.m. at the Sheraton San Diego Hotel, in San Diego, CA.

## **AVAILABILITY OF PROPOSED REGULATIONS AND INITIAL STATEMENT OF REASONS**

The California Coastal Commission has prepared the proposed revisions to its regulations and has available all of the information upon which its proposal is based. A copy of the proposed revisions, together with the Initial Statement of Reasons, which includes all of the information upon which the proposed regulatory action is based, may be obtained from the **CALIFORNIA COASTAL COMMISSION, 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA 95060-4508** or by or by telephoning Jeff Staben at (415) 904-5202. Copies of this notice, the initial statement of reasons and the text of the proposed change may also be obtained from the Coastal Commission's website at [www.coastal.ca.gov](http://www.coastal.ca.gov) from which the documents may be reviewed and printed.

## **RULEMAKING FILE**

A rulemaking file for this rulemaking activity is maintained at the Commission's office and is available for public review during the Commission's normal business hours. Requests to review the rulemaking file should be directed to Madeline Cavalieri at (415) 904-5233 or [mcavalieri@coastal.ca.gov](mailto:mcavalieri@coastal.ca.gov).

## **MODIFICATIONS TO ORIGINALLY PROPOSED REGULATIONS**

Any sufficiently related modifications to the originally proposed text of the regulations will be made available for 15 days prior to the agency's adoption of the regulation.

## **FINAL STATEMENT OF REASONS**

Once prepared, the final statement of reasons will be available as part of the Commission's rulemaking file and may be reviewed at the Commission's office and website or obtained by contacting Madeline Cavalieri at (415) 904-5233 or [mcavalieri@coastal.ca.gov](mailto:mcavalieri@coastal.ca.gov).

## **INTERNET ACCESS**

The proposed regulation and all related documents will be available for review and printing on the Commission's website at [www.coastal.ca.gov](http://www.coastal.ca.gov)

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**INITIAL STATEMENT OF REASONS  
FOR PROPOSED AMENDMENTS OF THE  
CALIFORNIA COASTAL COMMISSION'S  
FILING FEE REGULATIONS**

**(Prepared for comment period commencing  
September 14, 2007 and ending October 29, 2007)**

The California Coastal Commission (hereinafter “Commission”) proposes to amend various sections of the Commission’s regulations in Chapters 5, 6 and 8 of Division 5.5 of Title 14 of the California Code of Regulations. These chapters include fees for filing applications with the Commission. The proposed amendments update the Commission’s filing fees, reorganize the regulations for clarity, and clarify ambiguities. The majority of the Commission’s fees are contained within section 13055 of the regulations. Other sections related to filing fees which are proposed to be amended are: 13169, 13255 and 13576.

The proposed amendments include the following:

1. Increased fee amounts
2. New fee categories for:
  - a. Federal Consistency Certifications
  - b. Boundary Determinations
  - c. Appeals pursuant to sections 30602 and 30603(a)(5) of the Coastal Act
  - d. Written exemptions from coastal development permits
3. Escalator clause, in proposed section 13055(c), which would allow the Commission to update the fees each year according to inflation without undertaking the rulemaking process
4. Two new provisions for fee reductions in proposed sections 13055(h)(2) and 13055(h)(3): one for affordable housing and one for green building

The Coastal Commission has been collecting filing fees since its inception. The average annual income in the 16 years of the current 1991 fee structure is \$572,254. The 16 year high is \$799,987 and 16 year low is \$424,840. Since the passage of the Coastal Act of 1976, all application and other filing fees collected by the Commission were deposited in the state General Fund from FY 1976-1977 through FY 1998-1999.

Starting in FY 1999-2000 legislation (Chapter 782, 1997) redirected all permit fees from the General Fund to the State Coastal Conservancy’s Coastal Access Account. The purpose of the redirection of the permit fees was to use coastal permit fees for critical coastal access projects

**Exhibit H**

11/14/2007 – W3a

Page 1 of 16

including operation and maintenance of access ways that can not be funded from bond funds. Fines and penalties resulting from the resolution of coastal permit violation are deposited in the State Coastal Conservancy's Violation and Remediation Account.

All the Commission's permit fees currently go to the Coastal Conservancy's Coastal Access Account. Any redirection of increased fees to the General Fund would require legislative action. The Commission plans to seek legislation to redirect a portion of the increased fees to the general fund to be used to augment the Commission's baseline budget. Budget augmentations will be requested and are essential to support additional staff and operating expenses so that the Coastal Commission can meet its legal mandates under the Coastal Act and provide essential and timely services to the public.

The purpose of the amendments is to establish fees that are based on a portion of the average costs that the Commission incurs in processing permit applications and other filings. Currently, the Commission's filing fee revenue, which is directed to the Coastal Access Account, constitutes approximately 8% of its regulatory budget. The proposed amendments would increase the filing fee revenue so that it would constitute up to 50% of the Commission's regulatory costs and budget. Because there are numerous categories of regulatory actions that the Commission cannot charge fees for, such as Local Coastal Program amendments and public agency applications, the Commission thinks that a target of 50% of the Commission's regulatory costs is appropriate.

To establish appropriate fee amounts, Commission staff first analyzed the complexity of applications that are received within each fee category. Fees for more complex applications are higher than fees for less complex applications. Elements of complexity that affect the proposed fee amounts include: the square footage of the proposed development; the total cost of development; the typical number of technical studies associated with the development; the time and expertise required to perform services applied for; and the impact of the development on coastal resources, which requires analysis under the Coastal Act.

Commission staff also conducted a survey of local governments which charge fees in the Coastal Zone for application review that is similar to the application review performed by the Commission. A detailed description of the survey can be found below in the section titled, "Technical Studies." This survey was used to ensure that the proposed fees are not excessive in comparison to those charged by local governments.

## **AMENDMENTS**

The following breaks the amendments down by subsection and describes the purpose and rationale for each of the proposed amendments.

### **13055(a)**

The proposed revision divides the filing fees into section (a) which addresses fees for coastal development permit applications and section (b) which addresses all other types of filings. The purpose of this revision is to make the regulations clear and easy to follow.

**13055(a)(1)**

The proposed revision raises the fee for an administrative permit from \$200 to \$2,500. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for administrative permits. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(a)(2)(A)**

The proposed revision adds the phrase “For up to 4 detached, single-family residences the fee for each residence” so that fees for projects with 4 or fewer residences would be differentiated from fees for projects with more than 4 residences. The current regulations require each single-family residence in a development to be charged separately. However, the fee structure would cause the following problem: because there is a maximum fee in subsection (f) of \$100,000 for residential development, if the full fee was charged for each residence in a large development, then the developer of a project with 22 residences between 1,501 and 5,000 square feet would be charged the same fee as a developer of a project with 200 single family homes of the same size. Both would be charged the maximum fee of \$100,000. To minimize this discrepancy, a separate fee structure has been included in section (a)(2)(B) for developments of more than four detached, single-family homes. Therefore, the purpose of the proposed revision is to ensure that developments which create larger impacts and require more analysis are charged a higher fee than developments which cause smaller impacts and require less analysis.

The proposed revision increases fees for up to 4 detached, single-family residences. The current fee for each home under 1,500 square feet is \$250 and the proposed fee is \$3,000. The fee for homes from 1,501 to 5,000 square feet is currently \$500 and the proposed fee is \$4,500. The fee for homes that are more than 5,001 square feet is currently \$1,000. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for single-family residences. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

The proposed revision adds fees for residences between 5,001 and 10,000 square feet and for residences larger than 10,001 square feet. The proposed fee for residences between 5,001 and 10,000 square feet is \$6,000 and the fee for residences over 10,001 square feet is \$7,500. The current regulations have one fee for all homes over 5,001 square feet. However, many new residences are 10,000 square feet or more, and it would be inappropriate to charge the same fee for residences between 5,001 and 10,000 square feet as for residences that are larger than 10,001 square feet, because larger homes cause more coastal impacts that need to be reviewed and considered. The purpose of the proposed revision is to update the Commission’s fee structure to reflect current trends in land development and to ensure that developments which create larger impacts and require more analysis are charged a higher fee than developments which cause smaller impacts and require less analysis.

**13055(a)(2)(B)**

In subsection (a)(2)(B), a new fee structure is proposed for detached single family developments of more than four residences. For these applications, the fee is based on the size of the residences being built. For more than four residences of 1500 square feet or less, the fee is either \$15,000 or \$1,000 per residence, whichever is greater. For more than four residences between 1,501 and 5,000 square feet, the fee is either \$22,500 or \$1,500 per residence, whichever is greater. For more than four residences between 5,001 and 10,000 square feet the fee is either \$30,000 or \$2,000 per residence, whichever is greater. And for more than four residences of 10,001 square feet or more, the fee is \$37,500 or \$2,500 per residence, whichever is greater. For all residential development, there is a maximum fee of \$100,000. For developments with residences of different sizes, the fee will be based on the average size of all the residences.

**13055(a)(2)(C)**

The proposed revision adds a definition of square footage. The purpose of the revision is to clarify which structures in a development should be included in the square footage which is used to calculate the fee described in sections 13055(a)(2)(A) and 13055(a)(2)(B). The proposed definition includes all enclosed structures, regardless of their habitability because all structures cause coastal impacts which need to be reviewed by staff before issuing a permit. Currently, the regulations do not specify a method for calculating square feet, so the purpose of the proposed revision is to clarify ambiguities.

**13055(a)(3)**

The proposed revision moves the fee for lot line adjustments to subsection 13055(e) and deletes the phrase “for divisions of land where there are single family residences already built and only one new lot is created...” The purpose of moving the fee for lot line adjustments is because it is more appropriate to include lot line adjustments with subdivisions in subsection (e) than to keep it grouped with multi-family development as it was in subsection 13055(a)(3). The purpose of deleting the phrase “for divisions of land where there are single family residences already built and only one new lot is created...” is that the circumstance this describes is infrequent and would be categorized as a subdivision and charged accordingly.

**13055(a)(3)(A)**

The proposed revision rewords the subsection for clarification. The purpose of this revision is to create regulations which are clear and easy to follow.

The proposed revision increases the fee for up to 4 multi-family residential units from \$600 to \$7,500. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for multi-family residences. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(a)(3)(B)**

The proposed revision rewords the subsection for clarification. The purpose of this revision is to create regulations which are clear and easy to follow.

The proposed revision increases the fee for more than 4 multi-family residential units from a minimum of \$2,000 to a minimum of \$10,000, increases the fee per unit from \$120 to \$750, and increases the maximum fee from \$20,000 to \$50,000. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for multi-family residences. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(a)(4)**

The regulations currently require a \$200 fee for residential projects that include more than 75 cubic yards of grading. The proposed amendments would change this in four ways. First, the grading fee would apply to all projects, not just residential. Second, the cutoff of 75 cubic yards that triggers an additional fee would be lowered to 50 cubic yards. Third, the fee structure would include five increments of grading amounts. And fourth, the fee would be raised. The new fees are proposed as follows:

Cubic Yards of Grading	Proposed Fee
51 to 100	\$500
101 to 1000	\$750
1001 to 10,000	\$1,000
10,001 to 100,000	\$1,250
100,001 or more	\$1,500

The grading fee was first added to the regulations in 1991 to cover the cost of the additional time necessary to review the impacts of large amounts of grading. The 1991 fee schedule also included a \$5 fee for every additional 1,000 cubic yards of grading, but this additional fee was removed in 1998 because it was considered to be too small to warrant the calculation. However, an increased fee for more grading is appropriate because more grading causes more impacts and requires more review. The Commission is proposing to use the grading fee schedule put forth in the Uniform Building Code (UBC) and to apply it to all types of projects, not just residential projects. The UBC schedule will add more cubic yard increments, so that large amounts of grading will be charged a larger fee than small amounts of grading. The purpose of this revision is to create a fee structure which reflects the additional time required to review larger amounts of grading and the associated disturbances.

**13055(a)(5)**

The proposed regulations are amended so that when calculating the fee for commercial and industrial developments, the fee will be based upon either the gross square footage or the development cost, whichever is greater.

The proposed fees are as follows:

**Fees based upon gross square footage**

Square Footage	Current Fee	Proposed Fee
1000 or less	\$500	\$5,000
1001 to 10,000	\$2,000	\$10,000
10,001 to 25,000	\$4,000	\$15,000
25,001 to 50,000	\$8,000	\$20,000
50,001 to 100,000	\$12,000	\$30,000
100,001 or more	\$20,000	\$50,000

**Fees based upon development cost**

Development Cost	Current Fee	Proposed Fee
\$50,000 or less	N/A	\$3,000
\$50,001 to \$100,000	\$600	\$6,000
\$100,001 to \$500,000	\$2,000	\$10,000
\$500,001 to \$1,250,000	\$4,000	\$20,000
\$1,250,001 to \$2,500,000	\$8,000	\$25,000
\$2,500,001 to \$5,000,000	\$12,000	\$30,000
\$5,000,001 to \$10,000,000	\$20,000	\$50,000
\$10,000,001 to \$100,000,000	N/A	\$100,000
\$100,000,001 or more	N/A	\$250,000

The proposed revision adds new fee categories for projects with a development cost of less than \$50,000, between \$10,000,001 and \$100,000,000, and more than \$100,000,001. The purpose of the new fee for projects less than \$50,000 is to create a smaller fee for small projects. The purpose for new fee categories more than \$5,000,001 is that project costs have increased substantially since the regulations were amended in 1991. At that time, a project with a development cost of over \$5,000,000 may have been a very large project. However, today a \$5,000,000 project may be small, and a large project may cost more than \$100,000,000 to develop. The current regulations charge the same fee for a \$5,000,000 project as for a \$100,000,000 project. The proposed revision would ensure that larger projects are charged larger fees.

The proposed revision increases the fee in each category. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for commercial and industrial applications. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

Currently, commercial and industrial developments are charged either by the total square feet of development or by the total development cost of the project. However, there is no indication in the current regulations as to how to choose between the two different methods

**Exhibit H**

11/14/2007 – W3a

Page 6 of 16

of calculating the filing fee. To clarify this, the proposed regulations require the higher of the two fees be charged.

Also, the term “development cost” is used in the current regulations but is not defined. To make the regulations clear and easy to follow, the following definition of “development cost” has been proposed:

“all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission’s jurisdiction.”

This is the same definition that is used by the San Francisco Bay Conservation and Development Commission.

The proposed revision includes “all other development not identified in this section.” The purpose of including this statement is that some projects, such as residential remodels, cannot be charged a fee based on square footage, and the regulations do not provide an alternative fee schedule for such projects. The proposed revision would cause such projects to be charged according to the total development cost of the project. However, it is often the case that small residential projects are issued waivers, which have a proposed fee of \$500, or administrative permits, which have a proposed fee of \$2,500.

Major energy facilities are currently charged a flat fee of \$20,000. The Commission considered proposing a higher flat fee as a part of this regulation update. However, a flat fee for energy facilities may not be appropriate given the wide range of energy projects that are expected to be developed in the future. New alternative energy facilities could potentially be far smaller in scope than traditional petroleum facilities. Therefore, the proposed regulations require energy facilities be treated as any other industrial development. The purpose of this revision is to ensure that small energy projects are charged a smaller filing fee than large energy projects.

#### **13055(a)(6)**

The proposed revision increases the fee for immaterial amendments from \$200 to \$1,000. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing amendments. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

#### **13055(a)(7)**

The proposed revision increases the fee for emergency permits from \$200 to \$1,000. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for emergency permits. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(a)(11) through (a)(14)**

The proposed revision moves these regulations to subsection (b). The purpose of this revision is to make the regulations clear and easy to follow by dividing them into two distinct categories: fees for coastal development permit applications and fees for all other filings.

**13055(a)(8)**

The proposed revision increases the fee for temporary permits from \$500 to \$2,500. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for temporary permits. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(b)**

The proposed revision creates subsection (b) which only addresses filings other than coastal development permit applications. The purpose of the revision is to make the regulations more clear and easy to follow.

**13055(b)(1)**

The proposed revision moves the fees for extensions and reconsiderations from subsection (a) to subsection (b). The purpose of the revision is to include these fees in the subsection which addresses filings other than coastal development permit applications in order to make the regulations clear and easy to follow.

The proposed revision increases the fees for extensions and reconsiderations from \$200 to \$500 for single-family dwellings, and from \$500 to \$1,000 for all other development types. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for extensions and reconsiderations. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(b)(2)**

The proposed revision moves the fee for waivers from subsection (a) to subsection (b). The purpose of the revision is to include this fee in the subsection which addresses filings other than coastal development permit applications in order to make the regulations clear and easy to follow.

The proposed revision increases the fee for waivers from \$200 to \$500. The purpose of this increase is to establish fees that are based on a portion of the average costs that the Commission incurs in processing waivers.

**13055(b)(3)**

The proposed revision adds a new fee for written exemptions. Written exemptions are often requested by project applicants who are unsure if they need a Coastal Commission permit before starting their project. Exemptions often require many hours of staff research. Therefore, the purpose of the revision is to add a fee for a service provided by staff which is commensurate with the amount of work necessary to complete the task.

**13055(b)(4)**

The proposed revision moves the fee for continuances from subsection (a) to subsection (b). The purpose of the revision is to include this fee in the subsection which addresses filings other than coastal development permit applications in order to make the regulations clear and easy to follow.

The proposed revision increases the fee for continuances from \$100 to \$1,000. The purpose of this increase is to establish a fee that is based on a portion of the average costs that the Commission incurs in processing applications for extensions and reconsiderations. In establishing new fee categories and levels that achieve this objective, the Commission has used fees currently charged by local governments for similar development categories as guidance.

**13055(b)(5)**

The proposed revision assigns the same filing fees for consistency certifications and for certain appeals that are charged for coastal development permit applications according to subsection (a). The purpose of the revision is to charge the same fees for these items as for coastal development permit applications because they require the same level of review.

**13055(b)(5)(A)**

The proposed revision adds a filing fee for consistency certifications. The federal regulations which authorize the Commission to require consistency certifications, 15 CFR Part 930, Subparts D and E, are silent with regard to the charging of filing fees by states for consistency certifications. The purpose of the revision is to ensure the Commission is receiving fees for all of the filings it is legally able to charge fees for. It is not possible for the Commission to charge fees for public agency applications or for local coastal program amendments.

**13055(b)(5)(B)**

The proposed revision adds a filing fee for appeals which are denied at the local level. The proposed revision will apply to only a very small percentage of appeals. The purpose of the revision is to charge a fee only for appeals in which the applicant is requesting additional review from the Commission.

**13055(b)(6)**

The proposed revision adds a filing fee for requests for boundary determinations. Currently, there is no fee for boundary determinations. Mapping staff regularly performs these determinations which can be quite complex, require written notice and take many hours of staff time to perform. The proposed fee for boundary determinations is \$250. The

purpose of the revision is to ensure the Commission is receiving fees for all of the filings it is legally able to charge fees for. It is not possible for the Commission to charge fees for public agency applications or for local coastal program amendments.

**13055(b)(7)**

The proposed revision amends the filing fee for boundary adjustments. It moves the fee from Section 13255 and establishes one fee for boundary adjustments. The Commission may adjust the boundary of the Coastal Zone pursuant to Coastal Act section 30103(b). Boundary adjustments require staff reports and review by the Commission, and they generally require a level of review similar to that required for reviewing a new house. Therefore, a fee of \$5,000 for boundary adjustments has been proposed. The current fee regulation found in 13255.2 has not been updated since the Commission's first regulations were adopted in 1973, and the fee structure is based on the size of the parcel that will be affected by the adjustment. However, the Commission staff has determined that the time it takes to review a boundary adjustment has little relationship with the size of the parcel. Therefore, the Commission is proposing only one fee.

**13055(c)**

The proposed amendment adds an automatic fee escalator to the Commission's fee regulations. This fee escalator will allow the Commission to adjust its fees each year by the amount of inflation determined by the California Consumer Price Index. It states that each year, the new fees as adjusted by the California Consumer Price Index will become effective July 1. The Commission will calculate the new fees after the Department of Industrial Relations publishes the annual index value, and then will adjust the fee schedule that is issued to the public and posted on the Commission's website. The purpose of this automatic escalator is to ensure that filing fees are increasing at least at the rate of inflation, and that future fee increases will not be as substantial as the current one.

**13055(d)**

Subsection (d) is for after-the-fact (ATF) permits. ATF permits enable the Commission to authorize development that has been completed without a permit, when that development can be found to be consistent with the Coastal Act. The proposed fee for ATF permits is five times the normal fee. Local governments in the Coastal Zone charge from 2 to 9 times the regular filing fee for ATF permit authorization. This is because ATF permits require more review than normal permits. Often, more site visits than usual are required to analyze the site as it would have been before the unpermitted development occurred. It is far more difficult to assess environmental impacts and to devise conditions for mitigating environmental impacts after development has occurred. To ensure that the few ATF permits that do not require substantial staff time are not overcharged, the proposed regulations allow the executive director to reduce the ATF filing fee when appropriate. However, the fee would never be allowed to be less than two times the regular filing fee.

The proposed regulations also clarify that the ATF fee is only charged for the portion of the application which has been developed without a permit. This is important because applicants often request ATF approval of development at the same time that they apply for a larger development. For example, an already completed well might be applied for at the

same time that an applicant applies for a permit to build a house. In this circumstance, the proposed regulations would require ATF fees only for the portion of the project that was carried out without a permit.

#### **13055(e)**

Under the Commission's current regulations, if an applicant requests a permit for a subdivision and construction of residences, the applicant is only charged the fee for review of the residences. This exemption from the fee for subdivision review is inconsistent with the staff time required to review the two elements of the project. A subdivision requires Commission and staff review time, regardless of when the residences are built. The proposed subsection (e) removes the exemption from subdivision fees when an applicant proposes both subdivision and construction of residences.

The existing regulations have the fee for subdivisions equal to the fee for single family residences, so that each new lot created by a subdivision is charged the same fee as a single family residence. However, the current regulations have three different fees for three different sizes of residences, and the regulation regarding subdivisions does not say which fee should be applied. To clarify this, the proposed revisions set forth a \$3,000 fee for each of the first four lots, and \$500 for each additional lot. The fee of \$3,000 was chosen because it is the proposed fee for the smallest house on the fee schedule. The fee was reduced to \$500 for each lot over 4 lots because the level of review required for 20 lots, is generally less than 20 times that required for the review of 1 lot.

The proposed revision includes filing fees for conditional certificates of compliance in subsection (e). Conditional certificates of compliance legalize lots that were subdivided in a manner that did not conform to legal requirements that were applicable to that subdivision at the time it occurred. The purpose of this revision is that conditional certificates of compliance require a similar level of review as for an application for a new subdivision.

The fee for lot line adjustments is currently \$600, and the amended fee is proposed to be \$3,000. This is the same fee as is proposed for the creation of one new lot through a subdivision. This is an appropriate fee because the Commission and staff must review the impacts of the new configuration of two lots on the development potential or existing development and also on the surrounding development.

#### **13055(f)**

The existing regulations require applicants to pay separate fees for different types of development, even if they are included in one application. The proposed amendments do not revise this. However, the current maximum fee is \$20,000, which is also the highest current fee for any fee category. The proposed revision raises the maximum fee to the highest proposed fee for any one fee category: \$250,000. The proposed revision also limits the fees for residential development, so that the maximum fee is \$100,000.

#### **13055(g)**

The proposed revision deletes the words “in consideration of” and replaces them with “processing”, to clarify the language and make it consistent with the language of section 30260(c)(1) of the Coastal Act.

**13055(h)**

Subsection (h)(1) is an existing regulation which allows the Commission to reduce fees where they feel it is necessary or appropriate.

In subsection (h)(2), the proposed revision reduces the fee for certain affordable housing developments. The purpose of this revision is to encourage affordable housing in the Coastal Zone.

Government Code section 65915 and Government Code section 65590 require local governments to provide density bonuses and other incentives for the construction of affordable housing. Several local governments in the Coastal Zone, including County of Marin, City/County of San Francisco, County of San Mateo and the City of San Diego, now offer the option of deferred or reduced filing fees for affordable housing.

The Coastal Act also addresses the need to encourage affordable housing. Section 30604(g) of the Coastal Act states:

*“The Legislature finds and declares that it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.”*

In subsection (h)(3), the proposed revision reduces the fee for green building. Coastal Act section 30253 requires new development to minimize energy consumption. Green buildings can significantly reduce the energy required to construct and operate commercial, industrial and residential buildings. The energy reduction can come from using sustainable building materials, incorporating development with public transportation, designing more efficient heating and cooling, and designing buildings that utilize efficient lighting.

Reducing fees for green buildings is a powerful incentive the Commission can utilize to encourage new development to go beyond the requirements of the Coastal Act in energy conservation.

**13055(i)**

The current regulations have a subsection which addresses a situation in which the applicant pays for an administrative permit, but then the project, or project circumstances, changes in a way that requires a regular permit. In this situation, the regulations require the applicant to either pay the regular filing fee before the public hearing, or prior to the issuance of the permit.

The proposed revision expands this section to require applicants to pay the filing fee of the final project application that is reviewed. If a project changes so that the fee would be

larger, then an increased fee would be charged. And if a project changed so that the fee would be smaller, then a refund would be given, but only in circumstances where staff has not already performed substantial work on the initial application.

For example, if an applicant is proposing to subdivide a property into 3 lots and build 3 homes, but then changes the project to subdivide the property into 5 lots with 5 homes, then the applicant would be required to pay the fee necessary for the review of 5 lots with 5 homes. If, however, the applicant initially proposed to subdivide the property into 5 lots with 5 homes, but decided very early on in the review process to subdivide the property into 3 lots with 3 homes, a refund would be given. If the applicant were to reduce the scope of the project late in the review process, or after the staff report was written, they would not be eligible for a refund.

The purpose of this revision is to ensure that the Commission's fees are directly related to the amount of Commission and staff time required to review the associated filings.

#### **13169(d)(1)**

Section 13169 of the Commission's regulations describes permit extensions. Permit extensions can be requested by applicants that have not begun their project before the original permit's expiration. Often, it is found that there have not been changed circumstances, and a permit extension can be granted. However, when changed circumstances are found by the Commission, the applicant is required to submit additional information regarding the changed circumstances, and then a de novo review of the permit is performed.

The current regulations do not require the applicant to pay a filing fee when changed circumstances have been found. However, the current application form conflicts with this, and does require payment of a fee when changed circumstances have been found. The time it takes to perform a de novo review of a permit under changed circumstances is similar to the time and effort it takes to review a new application. Therefore, the proposed revision amends section 13169 to require submittal of the appropriate filing fee before the de novo review, as called for in the current application form. The purpose of this revision is to ensure that the Commission's fees are directly related to the amount of Commission and staff time required to review the associated filings.

#### **13255.0**

The proposed revision adds boundary determination requests to this section, which previously applied only to boundary adjustments. The purpose of this revision is to add boundary determinations request to the regulations. Previously, boundary determinations were performed by staff, but they were not detailed in the regulations.

#### **13255.1**

The proposed revision makes reference to the fee for boundary determinations put forth in section 13055(b)(6). The purpose of the revision is to ensure the regulation regarding boundary determinations is clear and references the appropriate fee.

**13255.2(d)**

The proposed revision moves the fees for boundary adjustments from this subsection to subsection 13055(b)(7). The reason for this revision is to put all fees in the fees section 13055, so that the regulations are clear and easy to follow.

**13576(c)**

Section 13576 applies to maps created after Local Coastal Program certification that show adopted boundaries. This section also applies to the process for revising and interpreting boundary determinations. The proposed revision adds a new subsection to 13576. The new subsection (c) would require a fee for interpretation or revision of boundaries on post-certification maps, and a fee for determining the location of a parcel in relation to the boundaries shown on the map. The purpose of this revision is to ensure that the Commission's fees are directly related to the amount of Commission and staff time required to review the associated filings.

**TECHNICAL STUDIES**

The Commission has determined that its filing fees should be updated so that they are not excessive in comparison to those charged by local governments in the coastal zone. To aid in the determination of fees that are typical in the coastal zone, staff performed a full comparison between the Commission's current fees and the planning fees of the following five local agencies: County of Sonoma, County of San Mateo, County of Santa Barbara, City of Huntington Beach and City of Oxnard. These particular local governments were chosen for three main reasons: their fee categories are relatively similar to the Commission's; the majority of their fees are flat fees, not fees based on cost recovery; and, they represent both rural and urban areas of the Coastal Zone.

The survey of local governments was relied on to develop a general idea of what planning fees are in the coastal zone. A direct comparison of the fees was impossible because different agencies have different fee categories, and because services for each category are grouped into the fees in different ways. For example, the County of San Mateo charges separate fees for design review and water quality review, but these services are included within the Commission's current fees. To resolve this conflict, staff obtained a minimum and maximum fee from each of the five agencies for each of the Commission's fee categories. Then, the mean average of the minimum and maximum fees for each category was calculated. Staff also conducted interviews with staff members from each of the agencies surveyed to ensure correct interpretation of the fee schedules.

It is important to note that the fee comparison did not include the local governments' fees for environmental review, and therefore portray the local government review fees below what they actually are. Because local governments are generally the CEQA lead agency, they charge fees for the preparation of CEQA documents. These fees are substantial, and are often charged on a cost recovery basis. Although the Commission is often a responsible agency, not the lead agency, it still performs an in-depth review of the lead agency's document.

In some cases, often with seawalls and piers, the Commission does act as the CEQA lead agency and prepares functionally equivalent documents, pursuant to the certification that the Secretary of Resources has granted to the Commission pursuant to section 21080.5 of the CEQA. However, these applications are not charged an additional fee on the basis of the Commission's status as lead agency. Instead, the CEQA review service is included in the normal fee.

## **ALTERNATIVES**

The Commission has considered four alternatives to the proposed regulations. The first alternative is to make no changes to the regulations. The second is to increase the existing fees according to the inflation that has occurred since they were established in 1991. The third alternative is to increase the existing fees by 8, as was done in the most recent fee increase which took place in 1991. And the final alternative considered by the Commission is to charge fees based on a cost recovery system.

The first alternative is to make no changes to the regulations. However, the fees the Commission currently charges applicants are low and cover only a very small portion of the costs for the Commission's regulatory program. The Commission's filing fees have not been raised since 1991 and they are substantially lower than the fees charged by local governments with certified LCPs.

The second alternative is to increase the existing fees according to the inflation that has occurred since they were established in 1991. However, an increase based on inflation is not sufficient to address the time and effort it takes to review projects in the current environment. The change in inflation from 1991 to 2006, calculated using the California Consumer Price Index, is approximately a multiplier of 1.5.<sup>1</sup>

The third alternative is to increase the existing fees by 8, as was done in the last fee increase which took place in 1991. However, if the Commission were to apply this increase, some fees would be disproportionate to the time spent by staff to review the applications, and some fees would be disproportionate to each other. For example, the fee for a 12,000 square foot commercial building would be \$16,000 more than the fee for an 8,000 square foot commercial building.

The final alternative is to charge fees based on a cost recovery system. Many government agencies charge filing fees based on cost recovery. In these agencies, all staff involved in the review of a project track the time spent on each filing, and the applicant is charged accordingly. Cost recovery systems cause more complicated applications to be charged more, and less complicated applications to be charged less. However, a drawback of cost recovery systems is that the cost of staff review to the applicant is difficult to predict. A full cost recovery system would result in much higher fees to applicants. Therefore, flat fees are the most predictable and most fair to the applicant.

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<sup>1</sup> The 2006 Annual California Consumer Price Index value was 210.5. The 1991 Annual California Consumer Price Index value was 140.6. Change in inflation from 1991 to 2006 is  $210.5/140.6 = 1.497$

Also, the Commission's current staff structure could not support a cost recovery system. It is time consuming for analysts to track their time, it would require additional staff in the accounting department, and it may result in applicants disputing the amount of time spent analyzing their applications.

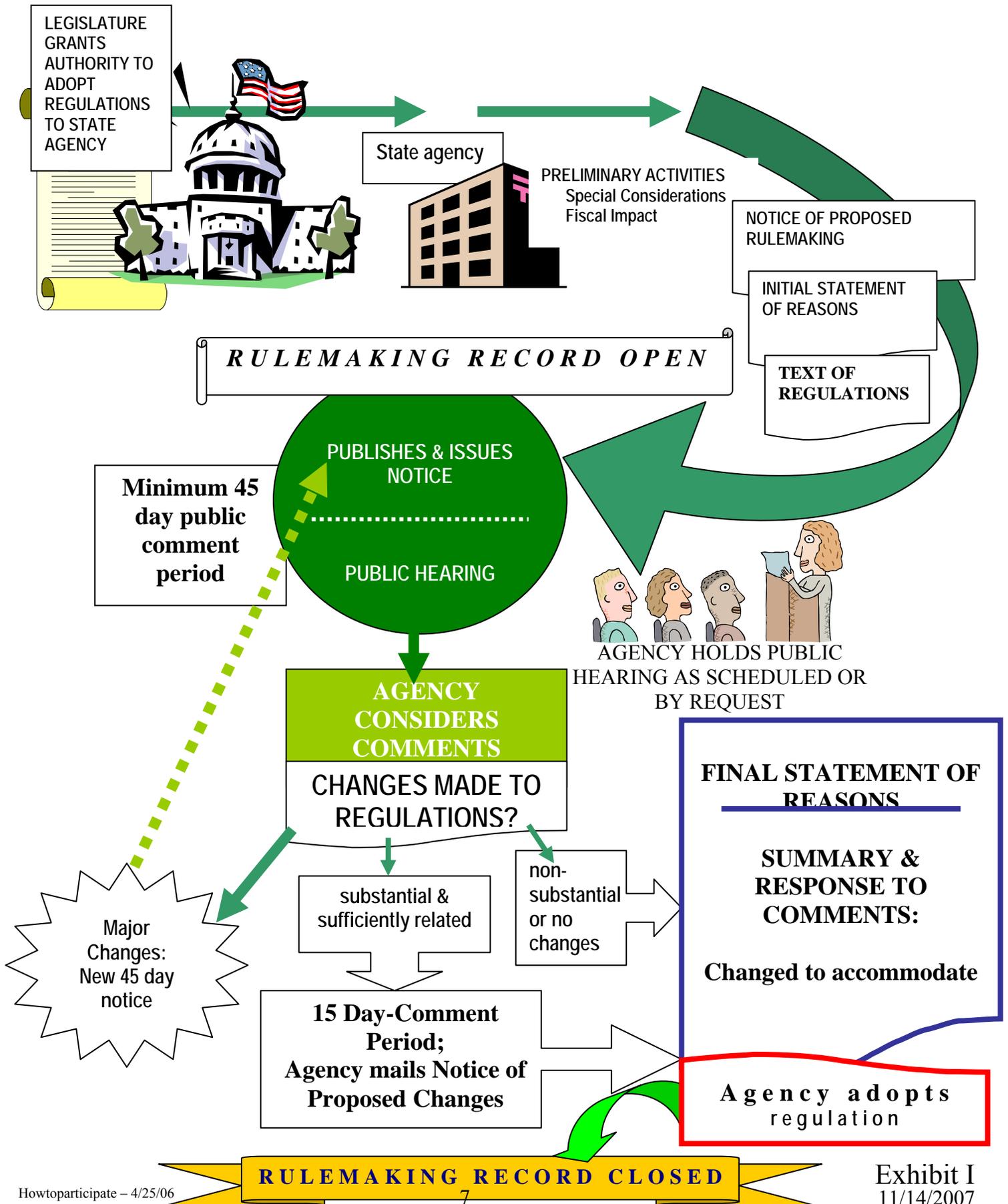
### **SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

The proposed amendments will not have a significant impact on business, or impair the ability of California businesses to compete with businesses in other states. This is because only a very small percentage of businesses in the Coastal Zone are required to pay the Commission's filing fees. These are the businesses which voluntarily elect to undertake development in the coastal zone and as a result, submit permit applications and other filings to the Commission. Additionally, once a local government has coastal permitting authority to issue permits within their jurisdiction, businesses will then apply for a coastal development permit from their local government. Also, these businesses are only required to pay a one time fee, typically at the time of development, which is a very small percentage of the project's total development cost. Furthermore, the Commission's proposed fees are not excessive in comparison to those charged by local governments which issue coastal development permits in the Coastal Zone.

### **COMPARABLE FEDERAL REGULATIONS**

There are no existing comparable federal regulations or statutes.

# The Rulemaking Process



## CALIFORNIA COASTAL COMMISSION REVENUES

FISCAL YEAR	PERMIT FEES		FINES & PENALTIES
	GENERAL FUND	COASTAL ACCESS ACCOUNT (TO STATE COASTAL CONSERVANCY <sup>2/</sup> )	VIOLATION REMEDIATION ACCOUNT
1976-77	\$ 370,665		
1977-78	600,479		
1978-79	443,198		
1979-80	308,495		
1980-81	309,000		
1981-82	279,000		
1982-83	220,578		
1983-84	230,253		
1984-85	176,763		
1985-86	185,428		\$ 54,000 <sup>3/</sup>
1986-87	149,010		35,000
1987-88	138,000		48,000
1988-89	113,000		26,000
1989-90	140,000		10,000
1990-91	126,864		57,000
1991-92 <sup>1/</sup>	799,987		48,000
1992-93	494,987		137,000
1993-94	529,328		64,000
1994-95	637,891		115,000
1995-96	535,404		
1996-97	424,840		133,000
1997-98	644,172		137,000
1998-99	609,161		89,100
1999-00		\$ 664,628	19,000
2000-01		664,944	23,000
2001-02		608,708	89,348
2002-03		516,100	143,044
2003-04		504,431	461,900
2004-05		515,310	159,500
2005-06		519,457	159,689

<sup>1/</sup>Permit Fee rates were raised in 1991 to the current level.

Average since FY 1991-92            15 Years = \$ 456,336  
 15 year High = \$799,987; 15 year Low = \$424,840

<sup>2/</sup> Legislation (Chapter 782, 1997) redirected all permit fees from the General Fund to the State Coastal Conservancy. Legislation (Chapter 1618, 1982) established the Violation Remediation Account in the State Coastal Conservancy for fines and penalties resulting from enforcement of violations.

<sup>3/</sup> Violation remediation revenue is not available for the years 82-83 through 84-83. It is possible that it was consolidated with other types of revenue in the Governor's Budget, or that there was no revenue collected in those years. Revenue data is also not available for 1996-97.

# ESTIMATED FILING FEES FY 2006/07 TO FY 2008/09

	(A)	(B)	(C)	MODEL YEAR		(A)	(A)	(B)	(C)	(A)	(B)	(C)				
	Current Fees	Proposed Fees (Min)	Proposed Fees (Max)	FY 2005/06	Percent <sup>3</sup>	FY 2006/07	Estimated Revenues	FY 2007/08	Proj Current Revenues	Proj MIN Revenues <sup>4</sup>	Proj MAX Revenues <sup>4</sup>	FY 2008/09	Proj Current Revenues	Proj MIN Revenues	Proj MAX Revenues	
<b>Total Applications with Associated Revenue<sup>1</sup></b>				956		857		910				910				
<b>Total Number of Fees Assessed<sup>2</sup></b>				1,342		1,203		1,277				1,277				
<b>Breakdown of Fees Categories:</b>																
1 Waiver	\$200	\$500	\$500	333	24.81%	299	\$59,703	317	\$63,395	\$110,942	\$110,942	317	\$63,395	\$158,488	\$158,488	
2 Administrative Permit	\$200	\$2,500	\$2,500	78	5.81%	70	\$13,985	74	\$14,849	\$100,233	\$100,233	74	\$14,849	\$185,617	\$185,617	
3 Up to 4 SFRs <1,500 sq. feet	\$250	\$3,000	\$12,000	18	1.34%	16	\$4,034	17	\$4,283	\$27,843	\$104,945	17	\$4,283	\$51,402	\$205,607	
4 Up to 4 SFRs 1,501<5,000 sq. feet	\$500	\$4,500	\$18,000	71	5.29%	64	\$31,824	68	\$33,792	\$168,959	\$625,149	68	\$33,792	\$304,127	\$1,216,506	
5 Up to 4 SFRs 5,001<10,000 sq. feet	\$1,000	\$6,000	\$24,000	22	1.64%	20	\$19,722	21	\$20,941	\$73,295	\$261,768	21	\$20,941	\$125,649	\$502,594	
6 Up to 4 SFRs >10,001 sq. feet	\$1,000	\$7,500	\$30,000	5	0.37%	4	\$4,482	5	\$4,759	\$20,228	\$73,771	5	\$4,759	\$35,696	\$142,782	
7 5 or more SFRs average <1,500 sq. feet	\$250	\$15,000	\$15,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
8 5 or more SFRs average 1,501<5,000 sq. feet	\$500	\$22,500	\$22,500	1	0.07%	1	\$448	1	\$476	\$10,947	\$10,947	1	\$476	\$21,417	\$21,417	
9 5 or more SFRs average 5,001<10,000 sq. feet	\$1,000	\$30,000	\$30,000	1	0.07%	1	\$896	1	\$952	\$14,754	\$14,754	1	\$952	\$28,556	\$28,556	
10 5 or more SFRs average >10,001 sq. feet	\$1,000	\$37,500	\$37,500	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
11 Attached Residential up to 4 units	\$600	\$7,500	\$7,500	16	1.19%	14	\$8,606	15	\$9,138	\$61,682	\$61,682	15	\$9,138	\$114,226	\$114,226	
12 More than 4 Attached Residential units	\$2,000	\$10,000	\$10,000	1	0.07%	1	\$1,793	1	\$1,904	\$5,711	\$5,711	1	\$1,904	\$9,519	\$9,519	
13 Subdivisions	\$1,000	\$3,000	\$12,000	11	0.82%	10	\$9,861	10	\$10,471	\$20,941	\$68,060	10	\$10,471	\$31,412	\$125,649	
14 Grading 51<100 c.y.	\$250	\$500	\$500	2	0.15%	2	\$448	2	\$476	\$714	\$714	2	\$476	\$952	\$952	
15 Grading 101<1000 c.y.	\$200	\$1,000	\$1,000	25	1.86%	22	\$4,482	24	\$4,759	\$14,278	\$14,278	24	\$4,759	\$23,797	\$23,797	
16 Grading 1,001<10,000 c.y.	\$200	\$2,000	\$2,000	13	0.97%	12	\$2,331	12	\$2,475	\$13,612	\$13,612	12	\$2,475	\$24,749	\$24,749	
17 Grading 10,001<100,000 c.y.	\$200	\$3,000	\$3,000	4	0.30%	4	\$717	4	\$762	\$6,092	\$6,092	4	\$762	\$11,423	\$11,423	
18 Grading >100,001 c.y.	\$200	\$5,000	\$5,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
19 Commercial/Industrial <1,000 sq. feet	\$500	\$5,000	\$5,000	1	0.07%	1	\$448	1	\$476	\$2,618	\$2,618	1	\$476	\$4,759	\$4,759	
20 Commercial/Industrial 1,001<10,000 sq. feet	\$2,000	\$10,000	\$10,000	8	0.60%	7	\$14,343	8	\$15,230	\$45,690	\$45,690	8	\$15,230	\$76,151	\$76,151	
21 Commercial/Industrial 10,001<25,000 sq. feet	\$4,000	\$15,000	\$15,000	3	0.22%	3	\$10,757	3	\$11,423	\$27,129	\$27,129	3	\$11,423	\$42,835	\$42,835	
22 Commercial/Industrial 25,001<50,000 sq. feet	\$8,000	\$20,000	\$20,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
23 Commercial/Industrial 50,001<100,000 sq. feet	\$12,000	\$30,000	\$30,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
24 Commercial/Industrial >100,001 sq. feet	\$20,000	\$50,000	\$50,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
25 Commercial/Industrial <\$100,000	\$600	\$3,000	\$3,000	95	7.08%	85	\$51,097	90	\$54,257	\$162,772	\$162,772	90	\$54,257	\$271,287	\$271,287	
26 Commercial/Industrial \$100,001-\$500,000	\$600	\$6,000	\$6,000	9	0.67%	8	\$4,841	9	\$5,140	\$28,271	\$28,271	9	\$5,140	\$51,402	\$51,402	
27 Commercial/Industrial \$500,001-\$2,000,000	\$2,000	\$10,000	\$10,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
28 Commercial/Industrial \$2,000,001-\$5,000,000	\$4,000	\$20,000	\$20,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
29 Commercial/Industrial \$5,000,001-\$10,000,000	\$8,000	\$25,000	\$25,000	1	0.07%	1	\$7,172	1	\$7,615	\$15,706	\$15,706	1	\$7,615	\$23,797	\$23,797	
30 Commercial/Industrial \$10,000,001-\$25,000,000	\$12,000	\$30,000	\$30,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
31 Commercial/Industrial \$25,000,001-\$50,000,000	\$20,000	\$50,000	\$50,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
32 Commercial/Industrial \$50,000,001-\$100,000,000	\$20,000	\$100,000	\$100,000	1	0.07%	1	\$17,929	1	\$19,038	\$57,113	\$57,113	1	\$19,038	\$95,188	\$95,188	
33 Commercial/Industrial >\$100,000,000	\$20,000	\$250,000	\$250,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
34 Emergency permit	\$200	\$1,000	\$1,000	20	1.49%	18	\$3,586	19	\$3,808	\$11,423	\$11,423	19	\$3,808	\$19,038	\$19,038	
35 Immaterial amendment	\$200	\$1,000	\$1,000	40	2.98%	36	\$7,172	38	\$7,615	\$22,845	\$22,845	38	\$7,615	\$38,075	\$38,075	
36 Material amendment <sup>5</sup>	50% Initial Fee	50% Initial Fee	50% Initial Fee	56	4.17%	50		53				53				
37 Extension/Reconsideration: single-family residences	\$200	\$1,000	\$1,000	69	5.14%	62	\$12,371	66	\$13,136	\$39,408	\$39,408	66	\$13,136	\$65,680	\$65,680	
38 Extension/Reconsideration: all other developments	\$400	\$2,000	\$2,000	42	3.13%	38	\$15,060	40	\$15,992	\$47,975	\$47,975	40	\$15,992	\$79,958	\$79,958	
39 Temporary Events	\$500	\$2,500	\$2,500	2	0.15%	2	\$896	2	\$952	\$2,856	\$2,856	2	\$952	\$4,759	\$4,759	
40 Permit Exemption	\$0	\$250	\$250	372	27.72%	333	\$0	354	\$0	\$44,263	\$44,263	354	\$0	\$88,525	\$88,525	
41 Continuance	\$100	\$2,000	\$2,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
42 Boundary Determination	\$0	\$250	\$250	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
43 Boundary Adjustment	\$250	\$5,000	\$5,000	-	0.00%	-	\$0	-	\$0	\$0	\$0	-	\$0	\$0	\$0	
44 After the Fact <sup>4</sup>	200% Total Fees	500% Total Fees	500% Total Fees	16	1.19%	14		15				15				
45 Lot Line Adjustment	\$600	\$3,000	\$3,000	6	0.45%	5	\$3,227	6	\$3,427	\$10,280	\$10,280	6	\$3,427	\$17,134	\$17,134	
<b>TOTAL</b>				<b>1,342</b>	<b>100.00%</b>	<b>1,203</b>	<b>\$312,231</b>	<b>1,277</b>	<b>\$331,541</b>	<b>\$1,168,579</b>	<b>\$1,991,006</b>	<b>1,277</b>	<b>\$331,541</b>	<b>\$2,005,617</b>	<b>\$3,650,471</b>	

1/ Not all applications are assessed a fee: Applications from public agencies, and applications for appeals and LCP amendments are exempted from paying fees and are not included in this chart.

2/ Two or more fees can be assessed on one application. Based on FY 2005/06, one application has a 40% chance of being assessed more than one fee.

3/ Percentages derived from Model Year FY 2005/06 are used to project the fee count in subsequent years.

4/ FY 2007/08 projected revenues assumes that proposed new fees are effective 01/01/2008 resulting in 6

Comment Letter 1

**Madeline Cavalieri**

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**From:** Norbert Dall [ndall49@sbcglobal.net]  
**Sent:** Friday, August 31, 2007 5:01 PM  
**To:** Madeline Cavalieri  
**Cc:** Stephanie Dall; Amy Roach  
**Subject:** CCC Notice of Rulemaking: Filing Fees (2007)

By Email and Facsimile  
 1.831.427.4877

Dear Ms. Cavalieri,

With regard to the above matter, please provide me notice of any hearing, meeting, workshop, agenda, minutes, staff reports (inclusive of a copy of all analysis and recommendations) conducted or prepared by the California Coastal Commission, its Commissioners, and staff.

Please allow me to request, pursuant to the legislative finding and declaration in Pub. Res. Code §30006, that the Commission, in addition to a public hearing in San Pedro, Los Angeles County as noticed in Commission's limited distribution monthly meeting notice, also:

- (A) (1) provide direct notice to all known interested persons, including, but not limited to, owners of real property in areas where the Commission retains "original" CDP jurisdiction and such other areas to which the subject rule making may apply,
- (B) (2) conduct duly noticed public hearings at reasonable geographic intervals along the coast, in addition to the San Pedro venue, to substantively afford the maximum opportunities for physical public participation in this rule making process, following adequate public notice to affected persons, and,
- (C) (3) receive public comment on this matter by e-mail, in addition to other means of communication.

Thank you for your attention to this matter.

Sincerely,

Norbert H. Dall  
 Partner  
 Dall & Associates  
 Consultants and Advisers in Sustainable Coastal Management,  
 Land Use, and Transportation  
 6700 Freeport Boulevard, Suite 206  
 Sacramento, California 95822 USA  
 Tel.: (Office Direct) ++916.392.0283  
 Fax: ++916.392.0462  
 Email: NDall49@sbcglobal.net

Exhibit L  
 11/14/2007  
 W3a

James G. Burke  
998 Via Palo Alto  
Aptos, CA 95003

RECEIVED

October 18, 2008

OCT 22 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Madeline Cavalieri  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

RE: Proposed Changes to Filing Fee Regulations  
Amend Title 14, Division 5, Sections 13055, 13169, 13255.0,  
13255.2 and 13576

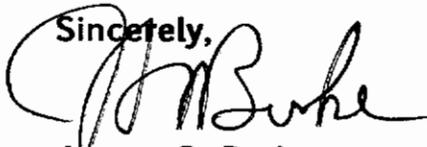
Dear Ms. Cavalieri:

(A) I've just read the *Initial Statement of Reasons for Proposed Amendments of the California Coastal Commission's Filing Fee Regulations*. While it is understandable that the fees be raised periodically, the increases of from 400% to 1000% are unreasonable.

(B) I hereby request that a copy of the *Initial Statement of Reasons for Proposed Amendments of the California Coastal Commission's Filing Fee Regulations* be provided to each Commissioner and be part of the formal record of the Commission's proceedings on this matter.

(C) I also request that the Commission hold a public hearing in Northern California, in addition to the hearings be held in San Pedro and San Diego.

Sincerely,



James G. Burke

cc: Assemblyman John Laird  
701 Ocean Street, Room 318B  
Santa Cruz, CA 95060

Exhibit M  
11/14/2007  
W3a

**William D. Hogland**

Sent via e-mail: [mcavalieri@coastal.ca.gov](mailto:mcavalieri@coastal.ca.gov) and U.S. Mail

October 23, 2007

Ms. Madeline Cavalieri  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060-4508

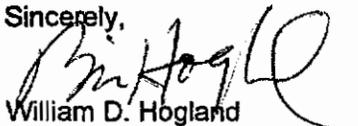
Dear Ms. Cavalieri:

As an Aptos homeowner for forty years, (I am not in favor of the Proposed Amendments Of The California Coastal Commission's Filing Fee Regulations.) Many of these fees that we pay as coastal property owners are proposed to increase by 400-500% on up to 1000%. To say the least, (the proposed changes are egregiously excessive,) and (narrowly focused and targeted to a small group of homeowners.)

I would like to request that the Commission hold a public hearing in Northern California in addition to the Los Angeles/San Pedro and San Diego venues. I would like to further request a copy of this letter be provided to each Commissioner and that it be placed in the formal record of Commission's proceeding on the fee increase/expansion.

Thank you for your attention to this matter.

Sincerely,

  
William D. Hogland

**Coastal Property Owners Association  
of Santa Cruz County**  
(a non-profit California corporation)  
500 41<sup>st</sup> Avenue, Santa Cruz, CA 95062 831.479.4200  
www.CoastalPropertyOwners.org

**RECEIVED**

OCT 25 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

October 23, 2007

**RECEIVED**

OCT 24 2007

CALIFORNIA  
COASTAL COMMISSION

Madeline Cavalieri  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

RE: Notice of Proposed Rulemaking, Proposed Changes to Filing Fee

Dear Ms. Cavalieri:

The Coastal Property Owners Association of Santa Cruz County represents the interests of the 2,000 Santa Cruz County coastal property owners whose addresses are impacted by the erosive forces of the ocean.

We request that a copy of this letter be provided to each Commissioner and be placed in the formal record of Commission's proceedings on the fee increase/expansion. Our comments on the "Proposed Changes to Filing Fees" are as follows:

(A)

1) We respectfully request that the Commission hold public hearings on the "Proposed Changes to Filing Fees" in northern California in addition to the public hearings that are scheduled in San Pedro (LA) and San Diego. This will promote public comment from more areas of the state and better serve the intent of the hearings.

(B)

2) The fee increases are extraordinary excessive and lack a rational relationship to the actual cost of the permitting process. The actual percentage increase of the proposed fee changes are as summarized as follows:

(E)

- ✓ Commercial development footage based fees increase from 150% to 900%.
- ✓ Commercial development cost based fees increase from 900% to 1150%.
- ✓ Single family residence footage based fees increase from 500% to 1100%.
- ✓ Office and other footage based fees increase from 150% to 900%.
- ✓ Office and other cost based fees increase from 150% to 1150%.

- 3) [Any fee increases should be limited to a reasonable amount] and [relate to the actual cost of the permitting process.] (F) (G)
- ✓ Coastal property owners should be extended the same equality or fair treatment as other California property owners and taxpayers. (H)
  - ✓ The proposed new and increased fees should not be used as a means to discourage legal development or promote any underlying agenda. (I)
  - ✓ The proposed new and increased fees should not be based on ability to pay or as an opportunity to generate unwarranted revenues from coastal property owners. (J)
  - ✓ Fee increases should be limited to a reasonable amount such as property tax increases are reasonably limited by California voter approved Prop. 13. (K)

Thank you for the opportunity to comment on the proposed rulemaking. As coastal property owners we share the same objectives as the California Coastal Commission in fulfilling the intent of the California Coastal Act. We want to work together to maintain a healthy coast and responsibly protect coastal properties.

Sincerely,

Keith Adams  
President

cc: Assemblymember John Laird  
Pat Kruer, Chairman, California Coastal Commission

President: Keith Adams, Vice President/Treasurer: James Marshall, Secretary: Bill Osberg  
Directors: James Beckett, Richard Berg, Gene Bernald, Dave DeBoer, Susan Rose

Exhibit O  
11/14/2007  
W3a

**Coastal Property Owners Association  
of Santa Cruz County**

(a non-profit California corporation)  
500 41<sup>st</sup> Avenue, Santa Cruz, CA 95062 831.479.4200  
www.CoastalPropertyOwners.org

**RECEIVED**

OCT 29 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

October 26, 2007

Madeline Cavaliere  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

RE: Notice of Proposed Rulemaking, Proposed Changes to Filing Fee

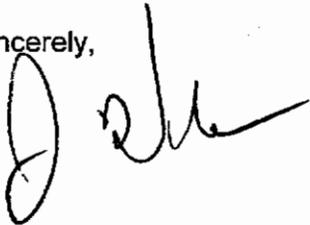
Dear Ms. Cavaliere:

(A)

I support the requests made by the Coastal Property Owners Association of which I am a member. I have included a copy of the letter for your reference.

Thank you for the opportunity to comment on the proposed rulemaking. As coastal property owners we share the same objectives as the California Coastal Commission in fulfilling the intent of the California Coastal Act. We want to work together to maintain a healthy coast and responsibly protect coastal properties.

Sincerely,



James Vaudagna  
Property Owner 276 Beach Drive

cc: Assemblymember John Laird

**Exhibit P**  
11/14/2007  
W3a

RECEIVED

OCT 29 2007

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

October 24, 2007

Madeline Cavalieri  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

RE: California Coastal Commission Proposed Filing Fee Schedule

Dear Ms. Cavalieri:

I am a property owner along the beach area in Aptos, CA. Recently I received a copy of the following documents.

1. Notice of Proposed Rulemaking.
2. California Coastal Commission Proposed Amendments to Section 13169. Extension of Permits.
3. Initial Statement of Reasons For Proposed Amendments of the California Coastal Commission's Filing Fee Regulations
4. Red Line Copy of the California Coastal Commissions Proposed Amendments to Section 13055. Schedule of Filing Fees For Processing Permit Applications.

Once again I am appalled at the way government regulatory agencies continue to impede reasonable and appropriate development in California. After reviewing the above referenced material, I wish to state I am adamantly opposed to the proposed fee schedule under consideration. Although I believe there is a place for proper and realistic monitoring of our beautiful California coastline and the projects which may negatively impact the environment and various habitats within that coastline, much too often the decisions which are made are done so because of personal board member agendas and pressure from sympathetic interest groups.

(A)

(B)

(C)

As a citizen of California with a special appreciation for our California coastline, I want to express my opposition to the proposed fee schedule.

(D)

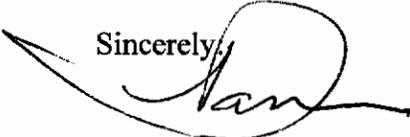
I would appreciate having this letter distributed to each Commission member and be placed in the formal record of Commission's proceedings on the fee increase/expansion.

(E)

I would also like to request that the Commission hold a public hearing on the proposal in the Santa Cruz/Monterey area and other regions of Northern California. I find it difficult to believe the only hearings I am aware of on this issue are scheduled for the southern California area. It seems to me this obviously creates an imbalance of regional representation on an issue that impacts the coastline of the entire state.

F

Sincerely,

  
Daniel E. Lester

C Assemblyman John Laird  
701 Ocean Street, Room 318-B  
Santa Cruz, CA 95060

COMMENT LETTER  
(7)

1000+ FRIENDS OF THE CALIFORNIA COAST  
PO BOX 713  
MENDOCINO, CALIFORNIA 95460

W3a  
CCC Meeting of  
November 14, 2007

RECEIVED

By Facsimile

1 (831) ~~426-4788~~

427-4877

October 29, 2007

OCT 30 2007

Chairman and Members  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105  
Attn: Ms. Madeline Cavaliere

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

SUBJECT: COASTAL COMMISSION APPLICATION/FILING FEES

Dear Commissioners:

You have before you a proposal from your staff - presently not even posted to your web-site or available in print - to massively increase, by upwards of some 456%, the application fees for coastal development permits, permit amendments, and other regulatory entitlements that must be obtained pursuant to the Coastal Act from your Commission. (A)

1000 Friends of the California Coast is well aware of the inefficiencies, work-load creation, external pressures, and missed opportunities of the California coastal program. They have combined to create the budgetary morass in which the Commission now finds itself. However, no matter how attractive the proposed substantial fee increases may appear to those who work inside government on the public's money, such bloated fees are contrary to law and not in the best interest of either California's coastal economy or environment. We therefore urge and request that the Commission not adopt the proposed fee hikes, or that the Office of Administrative Law reject them for the reasons stated below. (B)

The Coastal Act allows the Commission to require a reasonable filing fee and reimbursement of expenses for processing an application or request that is submitted for Commission review. A reasonable fee is one that rationally covers the true cost of the regulatory service(s) efficiently provided by the Commission and its staff, but not a tool for radically increasing the pre-construction (soft) costs of residential development, lodging in the executive director the discretion to selectively reduce costs, or including project components that are outside the Commission's jurisdiction in the calculation of total project costs, and thereby the applicable fee. (C) (D) (E)

Pursuant to State Constitution Article XIII-B, the Commission cannot in any event increase an application fee above the rate of the California Consumer Price Index, which since 1991 has risen by 72.8 points, from 140.6 to 213.4, or some 51%. Thus, at most, the Commission could now increase its application fee for a single-family home, for instance, by \$306, to \$906, rather than the \$3,000 proposed by staff. Similarly, the Commission could only increase its maximum application fee for a larger project to \$30,200, rather than the proposed \$100,000 or \$250,000. (F) Exhibit R 11/14/2007

Tellingly, the proposed fee increases are unsupported in the July and October, 2007 staff reports by any rational documentation or analysis of actual Commission regulatory costs or any (G) W3a

## 1000 FRIENDS OF THE CALIFORNIA COAST

(H) assessment of how programmatic efficiencies (e.g., support for and deference to certified local government LCP's, reliance on properly noticed and adopted precedential decisions, etc.), avoidance of regulatory delay, or cessation of the pursuit of extra-statutory jurisdictional claims could substantially reduce the costs of the Commission regulatory program.

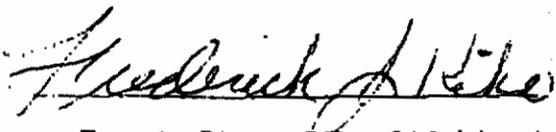
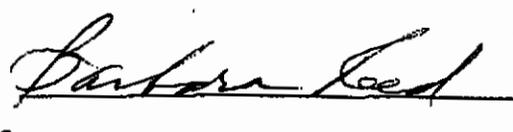
(I) References to local government processing fees to obliquely justify higher Coastal Commission application fees altogether miss the point: the Coastal Commission performs a narrow and limited supplemental regulatory function to local governments' broad development review. It bears noting, in addition, that as a budgetary matter, the Commission's application fees pursuant to present State law have no relationship whatsoever to the level of regulatory services provided by the Commission, since 100% of the application fees go to the State Coastal Conservancy for public access operation and maintenance. That program may deserve a higher level of funding, but not by the Coastal Commission's imposing draconian application fee increases on small and medium-sized, as well as other, projects. (J)

1000 Friends recommends that the Coastal Commission take a fundamentally different approach than that proposed by staff. (K) First, the Commission should join in the groundswell on the coast that supports substantially increased stable annual allocations in the Governor's and legislature's budget cycle to fund the State mandate for LCP update, completion, and implementation by local governments. (L) Second, we invite the Commission to carefully and quantitatively review, streamline, and bring its post-LCP regulatory program into demonstrable and transparent conformity with the Coastal Act and other applicable laws (e.g., the State Open Meeting Law). (M) Third, we urge the Commission to develop and implement the necessary real cost recovery accounting tools to provide real time management of regulatory staff, including through training, modern equipment, and financial rewards for efficient, productive work.

Finally, the Commission has a fundamental statutory obligation to pro-actively maximize public understanding of its regulatory fee structure among the affected stakeholders, especially including, but not limited to, property owners in areas of Commission's retained permit jurisdiction, permittees who received their CDP's from the Commission and may have to return to amend them, etc. To date, the Commission has received virtually no public comment on the proposed fee increases - a condition, we submit, that is not due to Californians wanting to pay up to 500% more for being serviced by the Coastal Commission, but rather that the Commission has failed to meet its own public information obligations in this regard. (N) At a minimum, the Commission should advertise the proposed fee increases in every newspaper of record in the State, and provide mailed notice to all affected permittees and property owners, before taking (O) final action on any lawful changes to its fee regulations.

Thank you for this opportunity to comment.

Sincerely,

cc: Executive Director, Office of Administrative Law, Sacramento

Exhibit R  
11/14/2007  
W3a

### 1991 Fee Update\*

Fee Category	1973 Fee	1991 Fee (8x 1973 fee)	Fee Option (8x 1991 fee)
Administrative	\$25	\$200	\$1,600
Emergency	\$25	\$200	\$1,600
Single-Family Residence	\$50		
SFR under 1500 s.f.		\$250	\$2,000
SFR from 1501 to 5000 s.f.		\$500	\$4,000
SFR more than 5000 s.f.		\$1,000	\$8,000
Lot-line Adjustment	\$75	\$600	\$4,800
Up to 4 multi-family units	\$75	\$600	\$4,800
More than 4 multi-family units	\$250 or \$15/unit but not to exceed \$2,500	\$2,000 or \$120/unit but not to exceed \$20,000	\$16,000 or \$960/unit but not to exceed \$160,000
Development cost less than \$100,000	\$75	\$600	\$4,800
Development cost between \$100,000 and \$500,000	\$250	\$2,000	\$16,000
Development cost between \$500,000 and \$1,250,000	\$500	\$4,000	\$32,000
Development cost between \$1,250,000 and \$2,500,000	\$1,000	\$8,000	\$64,000
Development cost between \$2,500,000 and \$5,000,000	\$1,500	\$12,000	\$96,000
Development cost between \$5,000,000 and \$10,000,000	\$2,500	\$20,000	\$160,000
Development cost more than \$10,000,000	\$2,500	\$20,000	\$160,000
Commercial or Industrial less than 1,000 s.f.	\$250	\$500	\$4,000
Commercial or Industrial between 1,000 and 10,000 s.f.	\$250	\$2,000	\$16,000
Commercial or Industrial between 10,000 and 25,000 s.f.	\$500	\$4,000	\$32,000
Commercial or Industrial between 25,000 and 50,000 s.f.	\$1,000	\$8,000	\$64,000
Commercial or Industrial between 50,000 and 100,000 s.f.	\$1,500	\$12,000	\$96,000
Commercial or Industrial more than 100,000 s.f.	\$2,500	\$20,000	\$160,000
Minor Amendments	\$0	\$200	\$1,600
Major Amendments	\$0	50% of fee	50% of fee
Extensions and Reconsiderations of Single-Family Residences	\$0	\$200	\$1,600
Extensions and Reconsiderations of other Development	\$0	\$400	\$3,200
Waiver	\$0	\$200	\$1,600
Continuance	\$0	\$100	\$800
Grading over 75 c.y.	\$0	\$200	\$1,600

\*This chart is meant to provide a comparison between previous fees. Not all fee categories are represented.

**Exhibit S**  
11/14/2007  
W3a

## Fiscal Year 2005/2006 Commission Actions

**Table 1. Total Actions by Category**

DeMinimis Waivers	214
Regular	178
Consent	102
Immaterial Extensions	77
Administrative	71
LCPA (not minor)	61
Immaterial Amendments	57
Amendments	52
Appeals	51
Waivers	47
Emergency	45
Consistency Determinations	23
Cease and Desist	15
LRDP	9
Consistency Certifications	7
Reconsiderations	3
Energy	2
Extensions	2
PWP	2
Revocation	2
Boundary Adjustment	1
NOID	1
<b>Total Actions</b>	<b>1022</b>

**Table 2. Public Agency Share of Actions**

Total Amendments	52
Total Amendments (Public Applicant)	17
% Public	33%
Total Regular	178
Total Regular (Public Applicant)	48
% Public	27%
Total Consent	102
Total Consent (Public Applicant)	21
% Public	21%
Total Administrative	71
Total Administrative (Public Applicant)	4
% Public	6%

**Table 3. ATF Share of Actions**

Total Amendments	52
Total Amendments (ATF)	13
% ATF	25%
Total Appeals	51
Total Appeals (ATF)	11
% ATF	22%
Total Regular	178
Total Regular (ATF)	36
% ATF	20%
Total Administrative	71
Total Administrative (ATF)	4
% ATF	6%

**Local Government Planning Fees Survey Results\***

CCC Fee Category	CCC Fee (effective since 1991)	Sonoma County Planning Fees		San Mateo County Planning Fees		Santa Barbara County Planning Fees		Huntington Beach Planning Fees		Oxnard Planning Fees	
		minimum	maximum	minimum	maximum	minimum	maximum	minimum	maximum	minimum	maximum
Waiver	\$200	N/A	N/A	\$287	\$287	\$249	\$249	N/A	N/A	\$679	\$679
Administrative Permit	\$200	\$2,550	\$5,777	\$2,040	\$2,040	\$1,088	\$1,997	\$2,894	\$6,582	\$3,888	\$5,887
Single Family Residential <1,500 sq. feet	\$250	\$4,116	\$10,439	\$3,747	\$13,668	\$3,750	\$6,603	\$4,429	\$5,175	\$3,461	\$3,954
Single Family Residential 1,501<5,000 sq. feet	\$500	\$4,116	\$10,439	\$3,747	\$13,832	\$3,750	\$6,603	\$4,429	\$5,175	\$3,461	\$3,954
Single Family Residential >5,001 sq. feet	\$1,000	\$4,116	\$10,439	\$3,747	\$13,953	\$3,750	\$6,603	\$4,429	\$5,175	\$3,461	\$3,954
Attached Residential 2-4 units	\$600	\$4,116	\$11,395	\$3,747	\$13,953	\$3,750	\$6,603	\$4,429	\$5,175	\$3,461	\$6,538
Attached Residential 5-16 units	\$2,000	\$8,075	\$18,918	\$3,747	\$16,172	\$7,230	\$17,674	\$10,767	\$12,460	\$3,461	\$7,163
Attached Residential 17-166 units	\$120/unit	\$11,963	\$67,518	\$3,747	\$16,172	\$7,230	\$17,674	\$10,767	\$12,915	\$3,461	\$18,065
Attached Residential >167 units	\$20,000	\$60,563	\$67,842	\$3,747	\$16,172	\$7,230	\$17,674	\$10,767	\$12,915	\$3,461	\$18,065
Lot line adjustment	\$600	\$1,008	\$4,538	\$2,655	\$2,655	\$4,952	\$5,384	\$552	\$552	\$1,875	\$1,875
Grading >75 c.y.	\$200	-	-	\$1,482	\$9,633	\$646	\$2,583	-	-	-	-
Commercial/Industrial <1,000 sq. feet	\$500	\$4,116	\$10,439	\$3,747	\$13,668	\$3,750	\$6,603	\$9,156	\$11,491	\$4,217	\$8,058
Commercial/Industrial 1,001<10,000 sq. feet	\$2,000	\$4,116	\$10,439	\$3,747	\$13,955	\$3,750	\$17,674	\$9,156	\$11,491	\$4,217	\$8,058
Commercial/Industrial 10,001<25,000 sq. feet	\$4,000	\$4,116	\$11,391	\$3,747	\$15,653	\$14,433	\$17,674	\$9,156	\$11,491	\$4,217	\$8,058
Commercial/Industrial 25,001<50,000 sq. feet	\$8,000	\$4,116	\$11,391	\$3,747	\$15,774	\$14,433	\$17,674	\$9,156	\$11,491	\$4,217	\$8,058
Commercial/Industrial 50,001<100,000 sq. feet	\$12,000	\$4,116	\$12,337	\$3,747	\$16,459	\$14,433	\$17,674	\$22,368	\$24,703	\$4,217	\$18,558
Commercial/Industrial >100,001 sq. feet	\$20,000	\$4,116	\$12,337	\$3,747	\$16,459	\$14,433	\$17,674	\$22,368	\$24,703	\$4,217	\$18,558
Emergency permit	\$200	N/A	N/A	N/A	N/A	\$1,421	\$1,784	N/A	N/A	\$969	\$969
Immaterial amendment	\$200	N/A	N/A	N/A	N/A	\$249	\$249	\$1,357	\$2,028	\$706	\$706
Material amendment	50% of fee	N/A	N/A	N/A	N/A	\$249	\$8,207	\$2,118	\$4,018	\$3,303	\$3,303
Extension or reconsideration for single-family residences	\$200	N/A	N/A	\$881	\$881	\$249	\$249	\$340	\$340	\$376	N/A
Extension or reconsideration for all other developments	\$400	N/A	N/A	\$881	\$881	\$249	\$3,635	\$340	\$340	N/A	N/A
Temporary Events	\$500	N/A	N/A	N/A	N/A	\$467	\$467	\$1,810	\$1,810	\$67	\$67

\*See survey methodology described in the staff report. See survey summary in Exhibit V.

### Summary of Local Government Survey\*

CCC Fee Category	CCC Current Fee (effective since 1991)	Local Government Average**	Local Government Minimum	Local Government Maximum	CCC Proposed Fee***
Waiver	\$200	\$405	\$249	\$679	\$500
Administrative Permit	\$200	\$3,474	\$1,088	\$6,582	\$2,500
Single Family Residential <1,500 sq. feet	\$250	\$5,934	\$3,461	\$13,668	\$3,000
Single Family Residential 1,501<5,000 sq. feet	\$500	\$5,951	\$3,461	\$13,832	\$4,500
Single Family Residential >5,001 sq. feet	\$1,000	\$5,963	\$3,461	\$13,953	\$6,000
Attached Residential up to 4 units	\$600	\$6,317	\$3,461	\$13,953	\$7,500
Attached Residential 5-16 units	\$2,000	\$10,567	\$3,461	\$18,918	\$7500 to \$12,000
Attached Residential 17-166 units	\$120/unit	\$16,951	\$3,461	\$67,518	\$750/unit
Attached Residential >167 units	\$20,000	\$21,844	\$3,461	\$67,842	\$50,000
Lot line adjustment	\$600	\$2,605	\$552	\$5,384	\$3,000
Grading >75 c.y.	\$200	\$3,586	\$646	\$9,633	\$500 - \$10,000
Commercial/Industrial <1,000 sq. feet	\$500	\$7,525	\$3,747	\$13,668	\$5,000
Commercial/Industrial 1,001<10,000 sq. feet	\$2,000	\$8,660	\$3,747	\$17,674	\$10,000
Commercial/Industrial 10,001<25,000 sq. feet	\$4,000	\$9,994	\$3,747	\$17,674	\$10,000
Commercial/Industrial 25,001<50,000 sq. feet	\$8,000	\$10,006	\$3,747	\$17,674	\$20,000
Commercial/Industrial 50,001<100,000 sq. feet	\$12,000	\$13,861	\$3,747	\$24,703	\$30,000
Commercial/Industrial >100,001 sq. feet	\$20,000	\$13,861	\$3,747	\$24,703	\$50,000
Emergency permit	\$200	\$1,286	\$969	\$1,784	\$1,000
Immaterial amendment	\$200	\$883	\$249	\$2,028	\$1,000
Material amendment	50% of fee	\$3,533	\$249	\$8,207	50% of fee
Extension or reconsideration for single-family residences	\$200	\$474	\$249	\$881	\$1,000
Extension or reconsideration for all other developments	\$400	\$1,054	\$249	\$3,635	\$2,000
Temporary Events	\$500	\$781	\$67	\$1,810	\$2,500

\*See survey methodology described in staff report

\*\*See survey results in Exhibit U. The survey included 5 local governments: Sonoma Co., San Mateo Co., Santa Barbara Co., Huntington Beach and Oxnard.

\*\*\*CCC Fees have not been raised since 1991

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885

**SURVEY OF FILING FEES IN THE COASTAL ZONE****INTRODUCTION**

The California Coastal Commission staff compared the Commission's filing fees with the fees of local governments in the Coastal Zone to aid in the development of an updated fee schedule for the Commission. To accomplish this, staff performed a full comparison between the Commission's current fees and the planning fees of the following five local agencies: County of Sonoma, County of San Mateo, County of Santa Barbara, City of Huntington Beach and City of Oxnard. These particular local governments were chosen for three main reasons: their fee categories are relatively similar to the Commission's; the majority of their fees are flat fees, not fees based on cost recovery; and, they represent both rural and urban areas of the coastal zone.

It is important to note that the fee comparison did not include the local governments' fees for environmental review, and therefore portray the local government review fees below what they actually are. Because local governments are generally the CEQA lead agency, they charge fees for the preparation of CEQA documents. These fees are substantial, and are often charged on a cost recovery basis. Although the Commission is often a responsible agency, not the lead agency, staff still performs an in-depth review of the lead agency's document. Recent court cases have underscored the need for the Commission to continue to review CEQA documents carefully before making findings.

In some cases, often with seawalls and piers, the Commission does act as the CEQA lead agency and prepares functionally equivalent documents, pursuant to the certification that the Secretary of Resources has granted to the Commission pursuant to section 21080.5 of the CEQA. However, these applications are not charged an additional fee on the basis of the Commission's status as lead agency. Instead, the CEQA review service is included as part of the standard filing fee.

**METHODOLOGY**

The survey of local governments was relied on to develop a general idea of what planning fees are in the coastal zone. A direct comparison of the fees was impossible because different agencies have different fee categories, and because services for each category are grouped into the fees in different ways. For example, the County of San Mateo charges separate fees for design review and water quality review, but these services are included within the Commission's current fees. To resolve this conflict, staff obtained a minimum and maximum fee from each of the five agencies for each of the Commission's fee categories. Then, the mean average of the minimum and maximum fees for each category was calculated. Staff also conducted interviews

**California Coastal Commission**  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

with staff members from each of the agencies surveyed to ensure correct interpretation of the fee schedules.

This report shows tables of fees in the local jurisdictions which would apply to each of the Commission's fee categories. For example, the first table, under Sonoma County, shows the fees in that county that would apply to the Commission's administrative permit. In a minimally complex permit application, the Sonoma County would apply fees for a coastal permit, drainage review and stormwater review. However, in a more complex permit application, the county may add fees for health review, fire review, public road review and design review.

At the end of the report, Table 1 shows the average, minimum and maximum local government fees, as compared with the Commission's current fees.

**SONOMA COUNTY (Fees effective July 1, 2006)**

<b>CCC Fee Category: Administrative Permit</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$1,010	\$1,010
Drainage Review	\$1,056	\$1,056
Storm Water Review	\$484	\$484
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Design Review	-	\$1,248
<b>TOTAL</b>	<b>\$2,550</b>	<b>\$5,777</b>

<b>CCC Fee Category: Single-Family Residential, Commercial under 10,000 sq.ft.</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$1,056	\$1,056
Storm Water Review	\$484	\$484
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$2,398
<b>TOTAL</b>	<b>\$4,116</b>	<b>\$10,439</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Multi-family Residential (2-4 units)</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$1,056	\$1,056
Storm Water Review	\$484	\$484
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$3,354
<b>TOTAL</b>	<b>\$4,116</b>	<b>\$11,395</b>

<b>CCC Fee Category: Multi-family Residential (5-16 units)</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$4,611	\$8,175
Storm Water Review	\$888	\$888
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$3,354
<b>TOTAL</b>	<b>\$8,075</b>	<b>\$18,918</b>

<b>CCC Fee Category: Multi-family Residential (17-166 units)</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$8,499	\$56,775
Storm Water Review	\$888	\$888
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$3,354
<b>TOTAL</b>	<b>\$11,963</b>	<b>\$67,518</b>

<b>CCC Fee Category: Multi-family Residential (&gt;167 units)</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$57,099	\$57,099
Storm Water Review	\$888	\$888
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$3,354
<b>TOTAL</b>	<b>\$60,563</b>	<b>\$67,842</b>

*California Coastal Commission*  
***SURVEY OF FILING FEES IN THE COASTAL ZONE***

<b>CCC Fee Category: Lot Line Adjustment</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Lot Line Adjustment	\$1,008	\$1,981
Referral to Sanitation	-	\$150
Referral to Surveyor	-	\$149
Health Review	-	\$441
Fire Review	-	\$226
Public Road Review	-	\$414
Advisory Committee Hearing	-	\$776
Surveyor Processing Fee	-	\$185
Ag. Commissioner Review	-	\$216
<b>TOTAL</b>	<b>\$1,008</b>	<b>\$4,538</b>
<b>CCC Fee Category: Commercial Development 10,000 &lt; 50,000 SF</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$1,056	\$1,056
Storm Water Review	\$484	\$484
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$3,350
<b>TOTAL</b>	<b>\$4,116</b>	<b>\$11,391</b>
<b>CCC Fee Category: Commercial Development &gt; 50,000 SF</b>		
<b>Sonoma County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Permit	\$2,576	\$2,576
Drainage Review	\$1,056	\$1,056
Storm Water Review	\$484	\$484
Health Review	-	\$1,339
Fire Review	-	\$226
Public Road Review	-	\$414
Condition Compliance	-	\$1,946
Design Review	-	\$4,296
<b>TOTAL</b>	<b>\$4,116</b>	<b>\$12,337</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

SAN MATEO COUNTY (Fees effective July 18, 2005)

<b>CCC Fee Category: Waiver</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
CDP Exemption	\$287	\$287
<b>TOTAL</b>	<b>\$287</b>	<b>\$287</b>

<b>CCC Fee Category: Administrative Permit</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Staff Level CDP	\$1,782	\$1,782
Stormwater Pollution Prevention	\$258	\$258
<b>TOTAL</b>	<b>\$2,040</b>	<b>\$2,040</b>

<b>CCC Fee Category: Single-Family Residence &lt;1500 SF, Commercial &lt;1000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$287
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$13,668</b>

<b>CCC Fee Category: Single-Family Residence 1500 &lt; 5000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$451
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$13,832</b>

<b>CCC Fee Category: Single-Family Residence &gt; 5001 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$572
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$13,953</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Multi-Family Residential (2-4 units)</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$572
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$13,953</b>

<b>CCC Fee Category: Multi-Family Residential (5 to more than 167 units)</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$1,257
Pre-application Review	-	\$1,534
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$16,172</b>

<b>CCC Fee Category: Lot Line Adjustment</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Lot Line Adjustment	\$2,655	\$2,655
<b>TOTAL</b>	<b>\$2,655</b>	<b>\$2,655</b>

<b>CCC Fee Category: Grading &gt;75 cu.yds.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Grading	\$1,482	\$9,633
<b>TOTAL</b>	<b>\$1,482</b>	<b>\$9,633</b>

<b>CCC Fee Category: Commercial 1000 &lt; 10,000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$287
Noise Report Review	-	\$287
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$13,955</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Commercial 10,000 &lt; 25,000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$451
Noise Report Review	-	\$287
Pre-application Review	-	\$1,534
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$15,653</b>

<b>CCC Fee Category: Commercial 25,000 &lt; 50,000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$572
Noise Report Review	-	\$287
Pre-application Review	-	\$1,534
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$15,774</b>

<b>CCC Fee Category: Commercial &gt; 50,000 sq.ft.</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Public Hearing CDP	\$3,489	\$3,489
Stormwater Pollution Prevention	\$258	\$258
Design Review	-	\$3,489
Geotechnical Review	-	\$2,656
Landscape Review	-	\$1,257
Noise Report Review	-	\$287
Pre-application Review	-	\$1,534
Resource Mgmt. District	-	\$3,489
<b>TOTAL</b>	<b>\$3,747</b>	<b>\$16,459</b>

<b>CCC Fee Category: Extensions and Reconsiderations</b>		
<b>San Mateo County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Extension	\$881	\$881
<b>TOTAL</b>	<b>\$881</b>	<b>\$881</b>

SANTA BARBARA COUNTY (Fees effective January, 2007)

<b>CCC Fee Category: Waiver, Single-Family Home Extension, Immaterial Amendment</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Ministerial Exemption, Revision, Extension	\$249	\$249
<b>TOTAL</b>	<b>\$249</b>	<b>\$249</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Administrative Permit</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Ministerial Residential	\$1,088	
Ministerial Residential, Special Constraints	-	\$1,609
Minor Landscape Review	-	\$313
Drainage Plan Review	-	\$75
<b>TOTAL</b>	<b>\$1,088</b>	<b>\$1,997</b>

<b>CCC Fee Category: Single-Family Residence (All sizes), Multi-Family (2-4 units), Commercial &lt;1000 sq.ft.</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
CDP w/ Hearing	\$3,750	\$3,750
Stormwater Pollution Prevention	-	\$965
Landscape Review	-	\$701
BAR Conceptual Review	-	\$184
BAR Final Review	-	\$507
Montecito BAR	-	\$274
Drainage Plan Review	-	\$75
Permit Compliance (Major)	-	\$1,500
<b>TOTAL</b>	<b>\$3,750</b>	<b>\$7,956</b>

<b>CCC Fee Category: Multi-Family (5 to more than 167 units)</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Development Plan (New or Revise)	\$7,230	
Development Plan – PC – (New or Revise)	-	\$14,433
Landscape Review	-	\$701
BAR Conceptual Review	-	\$184
BAR Final Review	-	\$507
Montecito BAR	-	\$274
Drainage Plan Review	-	\$75
Permit Compliance (Major)	-	\$1,500
<b>TOTAL</b>	<b>\$7,230</b>	<b>\$17,674</b>

<b>CCC Fee Category: Lot Line Adjustment</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Lot Line Adjustment (Zoning Administrator)	\$4,952	-
Lot Line Adjustment (Planning Commission)	-	\$5,384
<b>TOTAL</b>	<b>\$4,952</b>	<b>\$5,384</b>

<b>CCC Fee Category: Grading &gt;75 cu.yds.</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Grading	\$646	\$2,583
<b>TOTAL</b>	<b>\$646</b>	<b>\$2,583</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Commercial 1,001 &lt; 10,000 sq.ft.</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
CDP w/ Hearing	\$3,750	-
Development Plan – PC – (New or Revise)	-	\$14,433
Landscape Review	-	\$701
BAR Conceptual Review	-	\$184
BAR Final Review	-	\$507
Montecito BAR	-	\$274
Drainage Plan Review	-	\$75
Permit Compliance (Major)	-	\$1,500
<b>TOTAL</b>	<b>\$3,750</b>	<b>\$17,674</b>

<b>CCC Fee Category: Commercial &gt; 10,000 sq.ft.</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Development Plan – PC – (New or Revise)	\$14,433	\$14,433
Landscape Review	-	\$701
BAR Conceptual Review	-	\$184
BAR Final Review	-	\$507
Montecito BAR	-	\$274
Drainage Plan Review	-	\$75
Permit Compliance (Major)	-	\$1,500
<b>TOTAL</b>	<b>\$14,433</b>	<b>\$17,674</b>

<b>CCC Fee Category: Emergency Permit</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Emergency Permit	\$1,421	\$1,784
<b>TOTAL</b>	<b>\$1,421</b>	<b>\$1,784</b>

<b>CCC Fee Category: Material Amendment</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Ministerial Amendment	\$249	-
Development Plan Amendment	-	\$8,207
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,207</b>

<b>CCC Fee Category: Extensions</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Ministerial Extension	\$249	-
Time Extensions Planning Commission	-	\$3,635
<b>TOTAL</b>	<b>\$0</b>	<b>\$3,635</b>

<b>CCC Fee Category: Public Works Facilities</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Energy/Public Works	\$442	\$813
<b>TOTAL</b>	<b>\$442</b>	<b>\$813</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Temporary Events</b>		
<b>Santa Barbara County Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Carnival and other Temporary Uses	\$467	\$467
<b>TOTAL</b>	<b>\$467</b>	<b>\$467</b>

CITY OF HUNTINGTON BEACH (Fees effective January 20, 2006)

<b>CCC Fee Category: Administrative Permit</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Zoning Administrator SFR CDP	\$2,894	-
Zoning Administrator CDP (50% when charged concurrently w/ CUP)	-	\$1,507
Zoning Administrator CUP	-	\$3,568
<b>TOTAL</b>	<b>\$2,894</b>	<b>\$5,075</b>

<b>CCC Fee Category: Single-Family Residence (All sizes)</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Planning Commission CDP	\$4,429	\$4,429
Preliminary Plan Review	-	\$746
<b>TOTAL</b>	<b>\$4,429</b>	<b>\$5,175</b>

<b>CCC Fee Category: Multi-Family Residence (2-4 units)</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Planning Commission CDP	\$4,429	\$4,429
Preliminary Plan Review	-	\$1,693
<b>TOTAL</b>	<b>\$4,429</b>	<b>\$6,122</b>

<b>CCC Fee Category: Multi-Family Residence (5 or more units)</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Planning Commission CDP (50% when charged concurrently w/ CUP)	\$2,215	\$2,215
Conditional Use Permit	\$8,552	\$8,552
Preliminary Plan Review	-	\$2,148
<b>TOTAL</b>	<b>\$10,767</b>	<b>\$12,915</b>

<b>CCC Fee Category: Lot Line Adjustment</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Lot Line Adjustment (Staff Review)	\$552	\$552
<b>TOTAL</b>	<b>\$552</b>	<b>\$552</b>

<b>CCC Fee Category: Commercial up to 50,000 sq.ft.</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Planning Commission CDP (50% when charged concurrently w/ CUP)	\$2,215	\$2,215
Conditional Use Permit (Commercial < 1/2 block)	\$6,941	\$6,941
Preliminary Plan Review	-	\$2,335
<b>TOTAL</b>	<b>\$9,156</b>	<b>\$11,491</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Commercial &gt; 50,000 sq.ft.</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Planning Commission CDP (50% when charged concurrently w/ CUP)	\$2,215	\$2,215
Conditional Use Permit (Commercial < 1/2 block)	\$20,153	\$20,153
Preliminary Plan Review	-	\$2,335
<b>TOTAL</b>	<b>\$22,368</b>	<b>\$24,703</b>

<b>CCC Fee Category: Immaterial Amendment</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Zoning Administrator Entitlement Plan Amendment (No change to conditions)	\$1,357	-
Planning Commission Entitlement Plan Amendment (No change to conditions)	-	\$2,028
<b>TOTAL</b>	<b>\$1,357</b>	<b>\$2,028</b>

<b>CCC Fee Category: Material Amendment</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Zoning Administrator Entitlement Plan Amendment (new hearing)	\$2,118	-
Planning Commission Entitlement Plan Amendment (new hearing)	-	\$4,018
<b>TOTAL</b>	<b>\$2,118</b>	<b>\$4,018</b>

<b>CCC Fee Category: Extensions and Reconsiderations</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Extension of Time	\$340	\$340
<b>TOTAL</b>	<b>\$340</b>	<b>\$340</b>

<b>CCC Fee Category: Temporary Events</b>		
<b>Huntington Beach Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Temporary Use Permit	\$1,810	\$1,810
<b>TOTAL</b>	<b>\$1,810</b>	<b>\$1,810</b>

CITY OF OXNARD (Fees effective September 26, 2006)

<b>CCC Fee Category: Waiver</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Coastal Exemption Determination	\$679	\$679
<b>TOTAL</b>	<b>\$679</b>	<b>\$679</b>

<b>CCC Fee Category: Administrative Permit</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Administrative Development Review	\$3,888	\$3,888
Pre-Application Review (100% of average costs – fee schedule lists 150%)	-	\$1,325
<b>TOTAL</b>	<b>\$3,888</b>	<b>\$5,213</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Single-Family Residence (All sizes)</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Residential CDP	\$3,461	\$3,461
Pre-Application Review (100% of average costs – fee schedule lists 150%)	-	\$1,325
Residential Development Services Review	-	\$351
Architectural Review	-	\$142
Fire Prevention Review	-	\$312
<b>TOTAL</b>	<b>\$3,461</b>	<b>\$5,591</b>

<b>CCC Fee Category: Multi-Family Residence (2-4 units)</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Residential CDP	\$3,461	\$3,461
Pre-Application Review (100% of average costs – fee schedule lists 150%)	-	\$1,325
Residential Development Services Review	-	\$351
Architectural Review	-	\$142
Fire Prevention Review	-	\$312
Parks Review Fees	-	\$273
<b>TOTAL</b>	<b>\$3,461</b>	<b>\$5,864</b>

<b>CCC Fee Category: Multi-Family Residence (5-16 units)</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Residential CDP	\$3,461	\$3,461
Pre-Application Review (100% of average costs – fee schedule lists 150%)	-	\$1,325
Residential Development Services Review	-	\$351
Architectural Review	-	\$142
Fire Prevention Review	-	\$937
Parks Review	-	\$273
<b>TOTAL</b>	<b>\$3,461</b>	<b>\$6,489</b>

<b>CCC Fee Category: Multi-Family Residence (17 or more units)</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Residential CDP	\$3,461	\$3,461
Pre-Application Review (100% of average costs – fee schedule lists 150%)	-	\$1,325
Residential Development Services Review	-	\$351
Architectural Review	-	\$142
Fire Prevention Review	-	\$1,339
Parks Review	-	\$273
City Attorney	-	\$10,500
<b>TOTAL</b>	<b>\$3,461</b>	<b>\$17,391</b>

<b>CCC Fee Category: Emergency Permit</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Emergency Permit	\$969	\$969
<b>TOTAL</b>	<b>\$969</b>	<b>\$969</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>CCC Fee Category: Immaterial Amendment</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Administrative Modification	\$706	\$706
<b>TOTAL</b>	<b>\$706</b>	<b>\$706</b>

<b>CCC Fee Category: Material Amendment</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Major Modification	\$3,303	\$3,303
<b>TOTAL</b>	<b>\$3,303</b>	<b>\$3,303</b>

<b>CCC Fee Category: Extension</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Time Extension (Administrative Permits)	\$376	\$376
<b>TOTAL</b>	<b>\$376</b>	<b>\$376</b>

<b>CCC Fee Category: Temporary Events</b>		
<b>Oxnard Fee Category</b>	<b>minimum</b>	<b>maximum</b>
Temporary Use Permit	\$67	\$67
<b>TOTAL</b>	<b>\$67</b>	<b>\$67</b>

*California Coastal Commission*  
**SURVEY OF FILING FEES IN THE COASTAL ZONE**

<b>California Coastal Commission Fee Category</b>	<b>Coastal Commission Current Fee<sup>1</sup></b>	<b>Local Government Average</b>	<b>Local Government Minimum</b>	<b>Local Government Maximum</b>
Single-family residence <1,500 sq. feet	\$250	\$6,233	\$3,461	\$13,668
Single-family residence 1,501<5,000 sq. feet	\$500	\$6,250	\$3,461	\$13,832
Single-family residence >5,001 sq. feet	\$1,000	\$6,262	\$3,461	\$13,953
Attached residential 2-4 units	\$600	\$6,479	\$3,461	\$13,953
Attached residential 5-16 units	\$2,000	\$10,545	\$3,461	\$18,918
Attached residential 17-166 units	\$120/unit	\$16,884	\$3,461	\$67,518
Attached residential >167 units	\$20,000	\$21,776	\$3,461	\$67,842
Lot line adjustment	\$600	\$2,605	\$552	\$5,384
Grading Fee >75 cu.yds.	\$200	\$3,586	\$646	\$9,633
Commercial/Industrial <1,000 sq. feet	\$500	\$7,592	\$3,747	\$13,668
Commercial/Industrial 1,001<10,000 sq. feet	\$2,000	\$8,593	\$3,747	\$17,674
Commercial/Industrial 10,001<25,000 sq. feet	\$4,000	\$9,926	\$3,747	\$17,674
Commercial/Industrial 25,001<50,000 sq. feet	\$8,000	\$9,938	\$3,747	\$17,674
Commercial/Industrial 50,001<100,000 sq. feet	\$12,000	\$13,794	\$3,747	\$24,703
Commercial/Industrial >100,001 sq. feet	\$20,000	\$13,794	\$3,747	\$24,703
Administrative permit	\$200	\$3,685	\$2,040	\$5,777
Emergency permit	\$200	\$1,286	\$969	\$1,784
Immaterial amendment	\$200	\$883	\$249	\$2,028
Material amendment	50% of fee	\$3,533	\$249	\$8,207
Extension/Reconsideration of Single-family residences	\$200	\$462	\$249	\$881
Extension/Reconsideration All other developments	\$400	\$885	\$249	\$3,635
De minimis and all other waivers	\$200	\$405	\$249	\$679
Temporary Events	\$500	\$781	\$67	\$1,810

**Table 1. Summary of Fees**

<sup>1</sup> California Coastal Commission filing fees were last adjusted in 1991.

# PROJECT REVIEW APPLICATION FEE SCHEDULE

Adopted by the Board of Supervisors, Ordinance Number 5657, Effective: July 1, 2006

**Fee Item**

**C-ADA APPEALS**

1011 To Board of Zoning Adjustments, Planning Commission or Board of Supervisors ..... 940.00

**B-ACC ADMINISTRATIVE CERTIFICATE OF COMPLIANCE**

1000 Level I (mapped legal description) ..... \*\*AT COST - Minimum - per lot 715.00  
 1001 Level II ..... \*\*AT COST - Minimum - per lot 1,288.00  
 1005 Ag Preserve Consistency Determination ..... \*\*AT COST - Minimum = 726.00

**C-AGP AGRICULTURAL AND TIMBER PRESERVES**

1002 Preserve Establishment ..... 2,028.00  
 1003 Contract Phase-out (10 years) ..... 417.00  
 1004 Preserve Modifications ..... 962.00  
 1052 CEQA Exemption Determination ..... 29.00  
 1155 Associated Zone Change (to TP or WA) ..... 826.00

**C-CMO CERTIFICATE OF MODIFICATION**

1074 Certificate of Modification (Major Subdivision) ..... 1,644.00  
 1084 Certificate of Modification (Minor Subdivision) ..... 1,644.00  
 0332 Health Review - Certification of Modification ..... 211.00  
 0121 Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) ..... 226.00  
 0435 Planning Referrals to Sanitation ..... 150.00  
 0611 Planning Referrals to County Surveyor ..... 149.00  
 0615 Public Road Review ..... 414.00  
 0610 PRAC (Project Review Advisory Committee) Hearing ..... One Hour Minimum = 776.00  
 0710 Drainage Review Referral Fee ..... 346.00  
 0730 Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review ..... 661.00  
 2120 Agricultural Commissioner Review ..... 216.00

***Environmental Review Fees:***

1052 CEQA Exemption Determination ..... 29.00  
 1054 Referral Fee to Regional Archeology Lab (collect with base fee) ..... 77.00  
 1057 Environmental Review Committee's Review ..... per hour 227.00  
 1056 Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) ..... \*\*AT COST - Minimum = 333.00  
 1055 Level I (no technical reports - Negative Declaration) ..... 1,948.00  
 1053 Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) ..... \*\*AT COST - Minimum = 2,984.00  
 1058 Level III (EIR Consultant with Staff review and processing) ..... \*\*AT COST - Minimum = 2,984.00

**B-CPN COASTAL PERMIT - NO HEARING**

1024 Coastal Permit Level I (with other approval or without Public Hearing) ..... 1,010.00

**For Residences, Do Not Apply Referral Fees**

1005 Ag Preserve Consistency Determination ..... \*\*AT COST - Minimum = 726.00  
 0334 Health Review, Public Sewer and Public Water ..... 158.00  
 0337 Health Review, Well OR Septic ..... 1,339.00  
 0121 Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) ..... 226.00  
 0615 Public Road Review ..... 414.00  
 1052 CEQA Exemption Determination ..... 29.00

***Drainage Review:***

0704\* Major Developments  
 (MJS/UP/DR >4 units **or** more than 1 acre **or** in flood plain) ..... \*\*AT COST - Minimum = 2,991.00  
 Plus ..... per unit 324.00  
 0731\* Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments ..... 888.00  
 0705\* Minor Developments (MNS/UP/DR <= 4 units **or** less than 1 acre **or** not in flood plain) ..... 1,056.00  
 0732\* Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments ..... 484.00  
 0750 SUSMP Program Development Fee ..... 25.00

CONTINUED NEXT PAGE

**Exhibit X**  
 11/14/2007 - W3a  
 Page 1 of 9

**C-CPH**

**COASTAL PERMIT - WITH HEARING**

1024	Coastal Permit Level I (with other approval or without Public Hearing)	1,010.00
1025	Coastal Permit Level II (with Public Hearing) (Single Family Residential or related uses, agricultural use, and accessory structures)	**AT COST - Minimum = 2,576.00

**For Residences, Do Not Apply Referral Fees**

1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum)	226.00
0615	Public Road Review	414.00
0435	Planning Referrals to Sanitation	150.00
1140*	Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use	**AT COST - Minimum = 1,946.00
0710	Drainage Review Referral Fee	346.00
0730	Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review	661.00

**Drainage Review:**

0704*	Major Developments (MJS/UP/DR >4 units <b>or</b> more than 1 acre <b>or</b> in flood plain)	**AT COST - Minimum = 2,991.00
	Plus	per unit 324.00
0731*	Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments	888.00
0705*	Minor Developments (MNS/UP/DR <= 4 units <b>or</b> less than 1 acre <b>or</b> not in flood plain)	1,056.00
0732*	Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments	484.00
0750	SUSMP Program Development Fee	25.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee)	77.00
1057	Environmental Review Committee's Review	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.)	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration)	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec)	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing)	**AT COST - Minimum = 2,984.00

**C-CCC**

**CONDITIONAL CERTIFICATE OF COMPLIANCE**

1030	Conditional Certificate of Compliance	per lot 2,125.00
1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0615	Public Road Review	414.00
0610	PRAC (Project Review Advisory Committee) Hearing	One Hour Minimum = 776.00
0435	Planning Referrals to Sanitation	150.00
0710	Drainage Review Referral Fee	346.00
0730	Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review	661.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum)	226.00
2120	Agricultural Commissioner Review	216.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee)	77.00
1057	Environmental Review Committee's Review	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.)	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration)	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec)	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing)	**AT COST - Minimum = 2,984.00

**AB-ADR**

**DESIGN REVIEW - ADMINISTRATIVE or to DRC, NO PUBLIC HEARING REQUIRED**

1048	Administrative Design Review <= 1,000 square feet	400.00
1049	Administrative Design Review > 1,000 square feet (Small commercial/industrial projects revisions, Scenic & Biotic Resource evaluations)	967.00
1032	Administrative Design Review Residential > 4,000 square feet	**AT COST - Minimum = 1,248.00

CONTINUED NEXT PAGE

**Exhibit X**  
11/14/2007 - W3a  
Page 2 of 9

1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
1040	Master Sign Program	1,344.00
1039	Minor Alteration (ie. sign, awning)	178.00
1033	Commercial, Industrial, Subdivision, Level I (Building size less than 10,000 square feet)	733.00
1034	Commercial, Industrial, Subdivision, Level II (Building size 10,000-50,000 square feet)	1,048.00
1035	Commercial, Industrial, Subdivision, Level III (Building size larger than 50,000 square feet)	1,634.00

**Applicable Health and drainage referral fees apply to all Design Review except Signs and Residential Level I, and may not apply to Administrative Design Review, Design Review following Use Permit approval, and Revisions in certain cases**

1052	CEQA Exemption Determination	29.00
0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum)	226.00
0710	Drainage Review Referral Fee	346.00
0730	Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review	661.00
0615	Public Road Review	414.00
1140*	Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use	**AT COST - Minimum = 1,946.00

**C-DRH DESIGN REVIEW - WITH HEARING**

1041	Residential Projects Level I (Single Detached Planned Developments)	2,398.00
1042	Residential Projects Level II (All others)	3,354.00
1043	Commercial, Industrial, Subdivision, w/Hearing Level I (Building size less than 10,000 square feet)	2,398.00
1044	Commercial, Industrial, Subdivision, w/Hearing Level II (Building size 10,000-50,000 square feet)	3,350.00
1045	Commercial, Industrial, Subdivision, w/Hearing Level III (Building size larger than 50,000 square feet)	4,296.00
1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
1047	Revision to File/Extension of Time	991.00

**Applicable Health and drainage referral fees apply to all Design Review except Signs and Residential Level I, and may not apply to Administrative Design Review, Design Review following Use Permit approval, and Revisions in certain cases**

0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0119	County Fire Marshal Review (\$113.00 per hour) 2 hour minimum	226.00
0615	Public Road Review	414.00
0435	Planning Referrals to Sanitation	150.00
2120	Agricultural Commissioner Review	216.00
0710	Drainage Review Referral Fee	346.00
0730	Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review	661.00
1140*	Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use	**AT COST - Minimum = 1,946.00

**Drainage Review:**

0704*	Major Developments (MJS/UP/DR >4 units <b>or</b> more than 1 acre <b>or</b> in flood plain)	**AT COST - Minimum = 2,991.00
	Plus	per unit 324.00
0731*	Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments	888.00
0705*	Minor Developments (MNS/UP/DR <= 4 units <b>or</b> less than 1 acre <b>or</b> not in flood plain)	1,056.00
0732*	Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments	484.00
0750	SUSMP Program Development Fee	25.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee)	77.00
1057	Environmental Review Committee's Review	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.)	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration)	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec)	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing)	**AT COST - Minimum = 2,984.00

**A-DUA DWELLING UNIT ALLOTMENTS**

1091	Dwelling Unit Allotments	each 44.00
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**HEARING FEE**

1175 Additional fee if hearing required ..... 776.00

**C-LLA LOT LINE ADJUSTMENT - MAJOR**

1060 Major Level II (with Public Hearing and Environmental Review) ..... 1,981.00
1060 Additional Lots (2 Maximum) ..... per lot 998.00
1005 Ag Preserve Consistency Determination ..... \*\*AT COST - Minimum = 726.00
1062 Extension of Time ..... 260.00
1063 Revision to File ..... 862.00
0334 Health Review, Public Sewer and Public Water ..... 158.00
0336 Health Review, Well OR Septic ..... 441.00
0119 County Fire Marshal Review (\$113.00 per hour) ..... 2 hour minimum 226.00
0615 Public Road Review ..... 414.00
0435 Planning Referrals to Sanitation ..... 150.00
0611 Planning Referrals to County Surveyor ..... 149.00
0610 PRAC (Project Review Advisory Committee) Hearing ..... One Hour Minimum = 776.00
0605 Surveyor Processing Fee ..... 185.00
2120 Agricultural Commissioner Review ..... 216.00

**Environmental Review Fees:**

1052 CEQA Exemption Determination ..... 29.00
1054 Referral Fee to Regional Archeology Lab (collect with base fee) ..... 77.00
1057 Environmental Review Committee's Review ..... per hour 227.00
1056 Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) ..... \*\*AT COST - Minimum = 333.00
1055 Level I (no technical reports - Negative Declaration) ..... 1,948.00
1053 Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) ..... \*\*AT COST - Minimum = 2,984.00
1058 Level III (EIR Consultant with Staff review and processing) ..... \*\*AT COST - Minimum = 2,984.00

**B-LLA LOT LINE ADJUSTMENT - MINOR**

1061 Minor Level I (No Public Hearing) ..... 1,008.00
1005 Ag Preserve Consistency Determination ..... \*\*AT COST - Minimum = 726.00
1062 Extension of Time ..... 260.00
1063 Revision to File ..... 862.00
0334 Health Review, Public Sewer and Public Water ..... 158.00
0336 Health Review, Well OR Septic ..... 441.00
0121 Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) ..... 226.00
0615 Public Road Review ..... 414.00
0605 Surveyor Processing Fee ..... 185.00
1052 CEQA Exemption Determination ..... 29.00

**C-MJS MAJOR SUBDIVISION**

1070 Major Subdivision ..... \*\*AT COST - Minimum = 3,900.00
1005 Ag Preserve Consistency Determination ..... \*\*AT COST - Minimum = 726.00
1072 Extension of Time ..... 2,160.00
1073 Revision to File ..... 2,336.00
0334 Health Review, Public Sewer and Public Water ..... 158.00
0335 Health Review, Well and/or Septic ..... 1,479.00
" Plus ..... per lot 50.00
0119 County Fire Marshal Review (\$113.00 per hour) ..... 2 hour minimum 226.00
0615 Public Road Review ..... 414.00
0610 PRAC (Project Review Advisory Committee) Hearing ..... One Hour Minimum = 776.00
0435 Planning Referrals to Sanitation ..... 150.00
0611 Planning Referrals to County Surveyor ..... 149.00
2120 Agricultural Commissioner Review ..... 216.00
0329 \* Department of Real Estate Letter (Well or Septic) ..... 142.00
0710 Drainage Review Referral Fee ..... 346.00
0730 Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review ..... 661.00

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**Drainage Review:**

0704\* Major Developments (MJS/UP/DR >4 units or more than 1 acre or in flood plain) \*\*AT COST - Minimum = 2,991.00
Plus per unit 324.00
0731\* Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments 888.00
0705\* Minor Developments (MNS/UP/DR <= 4 units or less than 1 acre or not in flood plain) 1,056.00
0732\* Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments 484.00
0750 SUSMP Program Development Fee 25.00
1140\* Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use \*\*AT COST - Minimum = 1,946.00

**Environmental Review Fees:**

1052 CEQA Exemption Determination 29.00
1054 Referral Fee to Regional Archeology Lab (collect with base fee) 77.00
1057 Environmental Review Committee's Review per hour 227.00
1056 Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) \*\*AT COST - Minimum = 333.00
1055 Level I (no technical reports - Negative Declaration) 1,948.00
1053 Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) \*\*AT COST - Minimum = 2,984.00
1058 Level III (EIR Consultant with Staff review and processing) \*\*AT COST - Minimum = 2,984.00
Subdivision Map Review fees (to be collected at the time of Subdivision Map Review by the Surveyor)
1075\* Planning per lot 170.00
0626\* Surveyor 1,565.00
0626\* Plus per lot 87.00
0325\* Health Review (for projects not served by public sewer) per lot 48.00

**C-MNS MINOR SUBDIVISION**

1080 Minor Subdivision 2,166.00
" Plus per lot 325.00
1005 Ag Preserve Consistency Determination \*\*AT COST - Minimum = 726.00
1082 Extension of Time 2,160.00
1083 Revision to File 1,869.00
0334 Health Review, Public Sewer and Public Water 158.00
0335 Health Review, Well and/or Septic 1,479.00
" Plus per lot 50.00
0119 County Fire Marshal Review (\$113.00 per hour) 2 hour minimum 226.00
0615 Public Road Review 414.00
0610 PRAC (Project Review Advisory Committee) Hearing One Hour Minimum = 776.00
0435 Planning Referrals to Sanitation 150.00
0611 Planning Referrals to County Surveyor 149.00
2120 Agricultural Commissioner Review 216.00
0710 Drainage Review Referral Fee 346.00
0730 Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review 661.00
0329\* Department of Real Estate Letter (Well or Septic) 142.00

**Drainage Review:**

0704\* Major Developments (MJS/UP/DR >4 units or more than 1 acre or in flood plain) \*\*AT COST - Minimum = 2,991.00
Plus per unit 324.00
0731\* Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments 888.00
0705\* Minor Developments (MNS/UP/DR <= 4 units or less than 1 acre or not in flood plain) 1,056.00
0732\* Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments 484.00
0750 SUSMP Program Development Fee 25.00
1140\* Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use \*\*AT COST - Minimum = 1,946.00

**Environmental Review Fees:**

1052 CEQA Exemption Determination 29.00
1054 Referral Fee to Regional Archeology Lab (collect with base fee) 77.00
1057 Environmental Review Committee's Review per hour 227.00
1056 Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) \*\*AT COST - Minimum = 333.00
1055 Level I (no technical reports - Negative Declaration) 1,948.00
1053 Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) \*\*AT COST - Minimum = 2,984.00
1058 Level III (EIR Consultant with Staff review and processing) \*\*AT COST - Minimum = 2,984.00

Exhibit X

11/14/2007 - W3a

CONTINUED NEXT PAGE

*Subdivision Map Review fees (to be collected at the time of Subdivision Map Review by the Surveyor)*

1075*	Planning .....	per lot	170.00
0626*	Surveyor .....		1,565.00
0626*	Plus .....	per lot	87.00
0325*	Health Review (for projects not served by public sewer) .....	per lot	48.00

**NEW MILLS ACT**

1095	Contract Establishment, Amendment or Cancellation .....	**AT COST - Minimum =	300.00
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**AB-ORD ORDINANCE DETERMINATIONS AND INTERPRETATIONS**

1089	Level I (waiver of covered parking) .....	358.00
1090	Level II (Legal Non-conforming Determination) .....	945.00

**C-GPA PLAN AMENDMENTS - GENERAL**

1100	General Plan Amendment .....	**AT COST - Minimum =	3,340.00
1005	Ag Preserve Consistency Determination .....	**AT COST - Minimum =	726.00
0334	Health Review, Public Sewer <u>and</u> Public Water .....		158.00
0337	Health Review, Well <u>OR</u> Septic .....		1,339.00
0615	Public Road Review .....		414.00
0435	Planning Referrals to Sanitation .....		150.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) .....		226.00
2120	Agricultural Commissioner Review .....		216.00

***Environmental Review Fees:***

1052	CEQA Exemption Determination .....	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee) .....	77.00
1057	Environmental Review Committee's Review .....	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) .....	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration) .....	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) .....	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing) .....	**AT COST - Minimum = 2,984.00

**C-SPA PLAN AMENDMENTS - SPECIFIC**

1102	Specific Plan Amendment - Level I (ie: concurrent with General Plan Amendment) .....	802.00
1101	Specific Plan Amendment .....	**AT COST - Minimum = 3,340.00
1005	Ag Preserve Consistency Determination .....	**AT COST - Minimum = 726.00
0334	Health Review, Public Sewer <u>and</u> Public Water .....	158.00
0337	Health Review, Well <u>OR</u> Septic .....	1,339.00
0615	Public Road Review .....	414.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) .....	226.00
0435	Planning Referrals to Sanitation .....	150.00
2120	Agricultural Commissioner Review .....	216.00

***Environmental Review Fees:***

1052	CEQA Exemption Determination .....	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee) .....	77.00
1057	Environmental Review Committee's Review .....	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) .....	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration) .....	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) .....	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing) .....	**AT COST - Minimum = 2,984.00

**SITE EVALUATION**

1065	Site Inspection, File record or research/consultation .....	**AT COST - per hour	125.00
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**C-USE USE PERMITS**

1142	Minor Use Permit - with hearing waiver (i.e. accessory structures) .....	481.00	
1130	Level I .....	1,852.00	
	(Telecommunications facility, Yard reduction in PC District, UP Modification up to 15% in use permit intensity, no significant change in use or siting of uses and facilities.)		
1131	Level II (All uses not identified as Level I) .....	**AT COST - Minimum =	4,167.00

1132	Planned Development & Precise Development Plans	**AT COST - Minimum = 5,284.00
1145	Surface Mining Permit/Reclamation Plan/Extensions/Revisions	**AT COST - Minimum = 5,251.00
1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
<b>(For the extensions and revisions collect additional review fees, as appropriate, at Planner's discretion.)</b>		
1137	Extension of Time	1,845.00
1138	Revision to File	3,042.00

**All level II and surface mining and reclamation use permits are subject to the following fees; some of these fees will apply to Level I, at planner's discretion:**

0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0338	Large Capacity Water Well Monitoring	162.00
0339	Very Large Capacity Water Well Monitoring	432.00
0119	County Fire Marshal Review - Level II and Planned Dev. (\$113.00 per hour)	2 hour minimum 226.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum)	226.00
0615	Public Road Review	414.00
2120	Agricultural Commissioner Review	216.00
0435	Planning Referrals to Sanitation	150.00
1140*	Approved Permit Condition Compliance Review - to be collected prior to building permit issuance and/or prior to initiating use	**AT COST - Minimum = 1,946.00

**Drainage Review:**

0710	Drainage Review Referral Fee	346.00
0730	Storm Water Pollution Prevention (NPDES) Planning Referrals to Drainage Review	661.00
0704*	Major Developments (MJS/UP/DR >4 units <b>or</b> more than 1 acre <b>or</b> in flood plain)	**AT COST - Minimum = 2,991.00
	Plus	per unit 324.00
0731*	Storm Water Pollution Prevention (NPDES) Drainage Review Major Developments	888.00
0705*	Minor Developments (MNS/UP/DR <= 4 units <b>or</b> less than 1 acre <b>or</b> not in flood plain)	1,056.00
0732*	Storm Water Pollution Prevention (NPDES) Drainage Review Minor Developments	484.00
0750	SUSMP Program Development Fee	25.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee)	77.00
1057	Environmental Review Committee's Review	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.)	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration)	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec)	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing)	**AT COST - Minimum = 2,984.00

**C-VAR VARIANCE PERMITS**

1150	Variance Permits	2,937.00
1151	Revision to File/Extension of Time	1,869.00
0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0336	Health Review, Well <u>OR</u> Septic	441.00
0615	Public Road Review	414.00
1052	CEQA Exemption Determination	29.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum)	226.00
0435	Planning Referrals to Sanitation	150.00
2120	Agricultural Commissioner Review	216.00

**AB-VMG VOLUNTARY MERGER**

1170	Voluntary Merger	172.00
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**C-ZCE ZONE CHANGE**

1155	Level I (i.e., condition of LLA or subdivision approval, change to HD, B7, TP, WA)	826.00
1156	Level II (all other)	**AT COST - Minimum = 2,922.00
1005	Ag Preserve Consistency Determination	**AT COST - Minimum = 726.00
0334	Health Review, Public Sewer <u>and</u> Public Water	158.00
0337	Health Review, Well <u>OR</u> Septic	1,339.00
0119	County Fire Marshal Review (\$113.00 per hour)	2 hour minimum 226.00
0615	Public Road Review	414.00

**Exhibit X**  
**11/14/2007 - W3a**  
**Page 7 of 9**

CONTINUED NEXT PAGE

2120	Agricultural Commissioner Review .....	216.00
0435	Planning Referrals to Sanitation .....	150.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination .....	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee) .....	77.00
1057	Environmental Review Committee's Review .....	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) .....	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration) .....	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) .....	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing) .....	**AT COST - Minimum = 2,984.00

**B-ZPE ZONING PERMITS THAT REQUIRE POSTING**

1160	Level III with posting (Mobile Homes, Aviaries, Large Family Daycare, Telecommunication Facilities, Cultural Events) .....	985.00
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**For Cultural Events and Mobile Homes, apply Health Fee (Public Sewer and Public Water) and no Fire or Public Works Fees. For Residences, Do Not Apply Referral Fees. For all other permits, fees will apply:**

0334	Health Review, Public Sewer <u>and</u> Public Water .....	158.00
0336	Health Review, Well <u>OR</u> Septic .....	441.00
0615	Public Road Review .....	414.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) .....	226.00
1052	CEQA Exemption Determination .....	29.00
2120	Agricultural Commissioner Review .....	216.00

**B-ZPE-2 ZONING PERMITS WITH ENVIRONMENTAL REVIEW**

1160	Level III with posting (Telecommunication Facilities, Grading/Fill in Biotic Resource Zone, Timber Conversion) .....	985.00
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0334	Health Review, Public Sewer <u>and</u> Public Water .....	158.00
0336	Health Review, Well <u>OR</u> Septic .....	441.00
0615	Public Road Review .....	414.00
0121	Fire Safe Standards Review (\$113.00 per hour, 2 hour minimum) .....	226.00
2120	Agricultural Commissioner Review .....	216.00

**Environmental Review Fees:**

1052	CEQA Exemption Determination .....	29.00
1054	Referral Fee to Regional Archeology Lab (collect with base fee) .....	77.00
1057	Environmental Review Committee's Review .....	per hour 227.00
1056	Peer Review of Technical Reports (Traffic, Geology, Hydrology, etc.) .....	**AT COST - Minimum = 333.00
1055	Level I (no technical reports - Negative Declaration) .....	1,948.00
1053	Level II (Expanded Initial Study - w/ tech reports - Mitigated Neg Dec) .....	**AT COST - Minimum = 2,984.00
1058	Level III (EIR Consultant with Staff review and processing) .....	**AT COST - Minimum = 2,984.00

**AB-ZPE ZONING PERMITS WITHOUT DESIGN REVIEW OR POSTING**

1165	Level I (Home Occupation, Ag Employee Unit on Permanent Foundation) .....	82.00
1166	Level II (i.e. second units, guest house, etc.) .....	479.00
0334	Health Review, Public Sewer <u>and</u> Public Water .....	158.00
0336	Health Review, Well <u>OR</u> Septic .....	441.00
1052	CEQA Exemption Determination .....	29.00

**\*FEES TAKEN IN AFTER PROJECT APPROVAL:** These fees are not taken in at the initial Planning Project Review application submittal.

**\*\*APPLICATIONS CHARGED AT COST:** Planning fees for development projects identified within this fee schedule as charged "AT COST" will be charged on an actual cost basis. A minimum fee, as specified within Ordinance 5657, shall be required at the time the application for each such project is submitted. After staff review of the application, a preliminary estimate of costs will be provided to the applicant if the costs are expected to exceed the minimum fee. In this case an additional fee will be required prior to initiation of work on the project. Should actual costs exceed the amount of the fee, work on the project may be halted and the applicant will be billed for additional costs.

**AGRICULTURAL COMMISSIONER REVIEW:** Fees effective July 1, 2006 per Board of Supervisors Resolution Number 06-0347.

CONTINUED NEXT PAGE

**Exhibit X**  
**11/14/2007 - W3a**  
**Page 8 of 9**

**COUNTY FIRE MARSHAL AND FIRE SAFE STANDARDS REVIEW:** Fees effective July 1, 2006 per Board of Supervisors Resolution Number 06-0349.

**OTHER DEVELOPMENT RELATED FEES:** Other development related fees which may be required later in the development process include, but are not necessarily limited to, the following: building and grading permit fees, review fees for engineered drainage plans, Improvement Plan review fees, road impact fees, park impact fees and school impact fees.

**CONCURRENT APPLICATIONS:** When taking in concurrent multiple applications for a project, each base fee applies but only one referral fee (ie: Health, Drainage Review, Fire Services, Public Road, Surveyor) and one Environmental review fee applies. If the referral fee varies by project type, the highest fee will apply.

**A CONVENIENCE FEE UP TO 3% WILL BE APPLIED ON ALL CREDIT CARD TRANSACTIONS.**

# Planning Service Fee Schedule

Established by Board of Supervisors Resolution Numbers 66665 and 67300, (adopted June 8, 2004 and May 17, 2005). Effective August 9, 2004 (#66665) and July 18, 2005 (#67300).

Permit	Fee	Permit	Fee	Permit	Fee
<b>Appeal of Any Permit</b>		Review by Design Review Committee New Use	3,489	<b>Land Clearing Permit</b>	
.....	451	Addition to Existing Use	1,782	State or County Scenic Road Corridor	3,489
<b>Agricultural Preserve and Farmland Security</b>		<b>Environmental Review</b>		Other	1,782
Contract - Less Than 40 Acres	6,941	Categorical Exemption	287	<b>Land Division</b>	
Contract - 40 Acres or More	5,783	Initial Study and Negative Declaration	2,234	San Mateo County Fire Review	
Non-Renewal	1,782	Environmental Impact Report		First 4 lots	199
Cancellation - Immediate	5,783	Processing Fee	5,783	Each additional 4 lots	199
<b>Archeological/Historical Research</b>		Preparation	Cost plus 10%	Certificate of Compliance (verifying parcel legality—Government Code 66499.35a)	1,782
.....	66	Mitigation Monitoring and Reporting (as required by Public Resources Code Section 28781.6)	Cost plus 10%	Certificate of Compliance (legalizing parcel—Government Code 66499.35b)	6,796
<b>Architectural Review in State Scenic Highway Corridor</b>		Environmental Document Recording Fee	81	Lot Line Adjustment	2,655
Exemption	572	<b>Exceptions</b>		Minor Lot Line Adjustment (maximum two parcels; no more than 5% of largest parcel transferred)	1,331
Any New Use	3,489	Fence Height	670	Major Subdivision	
Addition to an Existing Use	1,782	Off-Street Parking		First 5 Lots or Units	15,549
<b>San Mateo County Fire</b>		Administrative	2,648	Each Additional Lot or Unit	287
Review Fee (See note # 7)	173	w/Public Hearing, add	2,648	Minor Subdivision	10,371
<b>Coastal Development Permit</b>		Street Improvement	3,489	Merger (by request of property owner)	0
Exemption	287	Tandem Parking (new second dwelling unit)	1,782	Unmerger (Government Code Section 66451.30)	2,655
Staff Level	1,782	Home Improvement	1,782	<b>Landscape Plan Review</b>	
Public Hearing	3,489	w/Public Hearing, add	1,706	Up to 10,000 sq. ft. parcel	287
Biologic Report	287	<b>Extension of any Permit</b>		10,001 to 25,000 sq. ft. parcel	451
<b>Confined Animal Permit</b>		.....	881	25,001 sq. ft. to 1 acre parcel	572
Certificate of Exemption	114	<b>General Plan Amendment</b>		Over 1 acre	1,257
Initial Permit		.....	15,549	Revised plans	169
No Hearing Required	900	<b>General Plan Conformity</b>		<b>Large Family Day Care Facility Permits</b>	
Hearing Required	1,800	.....	3,489	.....	557
Permit Self-Renewal (six years)	None	<b>Geotechnical Review</b>		w/Staff Level Coastal Development Permit, add	557
Permit Review (three years)	450	Basic Fee (no report)	622	<b>Legal Counsel Surcharge</b>	
<b>Credit Card Surcharge</b>		Basic Fee (report required)	2,656	.....	5%
.....	2%	Review by Geologist (basic fee) (See note #4 below)	940	<b>Major Development Pre-Application Procedure</b>	
<b>Department of Public Works</b>		<b>Grading Permits</b>		.....	1,534
Review Fee	400	Exemption	572	<b>Natural Resource Permits</b>	
<b>Density Analysis</b>		1 - 100 cubic yards (cby)	1,482	Drilling Permit	
PAD, RM, TPZ Districts		101 - 1,000 cby	3,489	Exploratory	11,532
Less Than 40 Acres	803	1,001 - 5,000 cby	5,333	Production	5,783
40 to 200 Acres	1,615	5,001 - 10,000 cby	5,783	Inspection	1,190
201 Acres or More	3,098	10,001 - 100,000 cby	8,213		
S-11, RH, S-104 Districts	451	100,001 - cby and above	9,633		
<b>Design Review (DR District)</b>					
Exemption	451				
Second Units, staff level	451				

**Exhibit Y**  
**11/14/2007 - W3a**  
**Page 1 of 2**

**San Mateo County Planning & Building Division**

Permit	Fee	Permit	Fee
Surface Mining Permit (less than 200 tons/day)		<b>Street Name Change</b>	
Initial/Renewal .....	5,783	.....	3,489
Inspection .....	1,190	<b>Timberland Preserve Zone</b>	
Surface Mining Permit (200 tons/day and up)		<b>(TPZ, TPZ-CZ)</b>	
Initial/Renewal .....	11,532	Minor Development Permit .....	878
Inspection .....	1,190	Concept Plan .....	3,489
Surface Mining Reclamation Plan .....	2,869	Development and Timber	
Inspection .....	1,190	Management Plan (DTM) .....	3,405
Timber Harvesting Permit		Timber Management Plan .....	572
Initial .....	5,783	<b>Tree Permits</b>	
Inspection .....	1,190	Significant Trees	
Renewal .....	4,362	Removal	
Topsoil Permit		1st 3 trees .....	154 ea.
Initial .....	3,489	4th thru 6th trees .....	89 ea.
Inspection .....	1,190	Trees beyond 6th .....	60 ea.
<b>Noise Report Review</b>		Trimming (RH/DR District only)	
.....	287	.....	One-half of the above
<b>Planned Agricultural Permit</b>		Heritage Trees	
.....	4,574	Removal, per tree .....	451
Farm Labor Housing .....	0	Trimming .....	229
<b>Public Noticing</b>		<b>Text Amendment</b>	
.....	136	.....	15,549
<b>Research</b>		<b>Use Permit - Standard</b>	
Per hour over 1.0 hours .....	122	Initial .....	4,650
<b>Resource Management District</b>		Renewal/Amendment .....	3,489
<b>(RM, RM-CZ)</b>		Inspection .....	572
Minor Development Review -		Farm Labor Housing .....	0
Certificate of Compliance .....	572	4-H Projects .....	See Note #6
Development Review Procedure		Second Dwelling Units .....	4,680
Environmental Setting		<b>Use Permits - Special</b>	
Inventory (ESI)		Auto Wrecking Permit	
Previous ESS Approval .....	1,782	Initial .....	5,783
No Previous ESS .....	3,489	Renewal/Amendment .....	3,489
Final Development Plan .....	3,489	Inspection .....	572
<b>Rezoning</b>		Kennel/Cattery Permit	
.....	15,549	Initial .....	3,489
<b>Sewage Capacity Transfer</b>		Renewal/Amendment .....	572
.....	294	Inspection .....	572
<b>Specific Plan</b>		<b>Variance</b>	
BART Station Area Specific Plan		Administrative .....	1,782
(per gross square feet of		w/Public Hearing, add .....	1,706
development) .....	0.089	<b>NOTES:</b>	
County to obtain reimbursement in		1. When a violation of the Zoning Ordinance	
accordance with Government Code		or Subdivision Ordinance (or any other	
Section 65453		ordinance or law establishing the	
<b>Stormwater Pollution Prevention</b>		requirements for the permits or approvals	
<b>Program</b>		referenced in this schedule) includes or	
Basic Fee.....	258	results from the failure to obtain a required	
(See note #5)		permit, the fee for obtaining the permit	
		required to correct the violation shall be	
		double the fee amount shown, except for	
		grading and tree cutting or trimming	
		violation, for which the fee shall be ten times	
		the amount shown.	
		2. Notwithstanding the fee schedule listed	
		above, total costs of all fees for permits,	
		excluding a Variance Permit fee, required to:	
		(1) construct a new single-family residence or	
		additions/remodels to same, or a second	
		dwelling unit (new or legalized); or (2)	
		establish a kennel or cattery (new or	
		legalized) on an existing legal parcel; or (3)	
		construct a project or operate a use in the	
		Princeton area, shall not exceed \$5,614 in FY	
		2004/05 provided that all permits are applied	
		for and processed concurrently.	
		3. The Planning Director is authorized to	
		adjust fees in unusual circumstances when	
		the regular fees listed above would clearly be	
		excessive for a minor project requiring limited	
		service. In such cases, the Planning Director is	
		authorized to reduce the fees to reflect actual	
		staff costs. In other cases, when County costs	
		for reviewing a major project will clearly	
		exceed revenues from the regular fees, the	
		Planning Director is authorized to increase	
		the fees to reflect actual staff costs. Any	
		adjustment in fees shall be documented by	
		the Planning Director in writing.	
		4. Basic fee covers the average County cost	
		to review a geotechnical report (4 hours).	
		Smaller projects which require less review	
		time will be refunded the difference in cost,	
		and larger projects which require more	
		review will be charged for additional time on	
		a case by case basis.	
		5. Basic fee includes one-time Planning and	
		Public Works review of applicant's proposed	
		Stormwater Best Management Practices, as	
		well as two site inspections. County time	
		beyond will be charged at the hourly rate of	
		staff involved.	
		6. Use Permit and related fees are waived for	
		4-H or similar projects authorized under	
		Section 6500(c)13 of the Zoning Code.	
		Written certification from the County	
		Agricultural Extension Office is required,	
		stating that the application involves an official	
		4-H project.	
		7. San Mateo County Fire Review fee for the	
		following Planning permits: Agricultural	
		Preserve contracts, Grading and Land	
		Clearing Permits, Fence Height Exceptions,	
		Off-Street Parking Exceptions, Certificates of	
		Compliance (Type B), Lot Line Adjustments,	
		Major Development Pre-Application projects,	
		Street Naming, Use Permits, and Confined	
		Animal Permits.	
		8. All planning and building fees are waived	
		for new affordable housing projects, as	
		mandated by Board of Supervisors Resolution	
		No.62405.	

**Exhibit N**  
**11/14/2007 w3a**  
**Page 2 of 2**

County of Santa Barbara Land Development Fees  
Effective January 2007

TOTAL BASE FEE CURRENT	P&D FEE	FEE* TYPE	FEE* BLDG TYPE	FEE* PARKS TYPE	FEE* FIRE TYPE	CNTY CONSL TYPE	FEE* SURVEYOR TYPE	FEE* FLOOD CTRL TYPE	ROADS	FEE* WATER TYPE	ENVIR HEALTH TYPE	COB FEE* TYPE	FEE* APCD TYPE
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**MINISTERIAL PERMITS**

Coastal Development Permits & Community  
Plans Areas not associated with  
a discretionary project

**Agricultural Structures:**

Addition to Ag Structure	442	442	F										
Greenhouses < 300 sq ft	313	313	F										
Greenhouses 300 - 9,999 sq ft	855	830	F	25	F								
Greenhouses 10,000 - 19,999 sq ft	1,371	1,346	F	25	F								
New Agricultural Structures	919	894	F	25	F								

**Residential Structures:**

Accessory Structures	507	507	F										
Addition to Residential Structures	571	571	F										
Fences, Walls, Pools, Spas	313	313	F										
Guest houses/Pool houses/Artist studios	636	636	F										
New Residential or Residential Second Unit	1,088	1,088	F										

**Commercial/Industrial Structures:**

Minor Alterations	442	442	F										
New or Addition to Existing Structure	1,161	1,088	F							73	F		

**Other Review:**

Change of Use	517	442	F	75	F								
Demolition	636	636	F										
Emergency Permit (Coastal Zone Only)	1,784	1,346	F	75	F		363	F					
Energy/Public Works Facilities	813	571	F				242	F					

**Other Development:**

Carnival and Other Temporary Uses	467	442	F	25	F								
Est Value < \$100,000	646	571	F	75	F								
Est Value \$100,000 - \$499,999	826	701	F	125	F								
Est Value \$500,000+	1,859	1,734	F	125	F								
Exempt from CDP, Revision, Time Extension	249	249	F										
Simple Permit Exemption	120	120	F										
Home Occupation	274	249	F	25	F								
Trailers	571	571	F										
Tree/Brush Removal	701	701	F										

**Grading Plan Review & Permit:**

Grading < 500 cubic yards	646	571	F	75	F								
Grading 500 - 1,499 cubic yards	905	830	F	75	F								
Grading 1,500-4,999 cubic yards	1,163	1,088	F	75	F								
Grading > 5,000 + cubic yards	2,583	2,508	F	75	F								

Land Use Permits not associated with Discretionary Project

County of Santa Barbara Land Development Fees  
Effective January 2007

	TOTAL BASE FEE CURRENT	P&D FEE	FEE* TYPE	FEE* BLDG TYPE	FEE* PARKS TYPE	FEE* FIRE TYPE	CNTY CONSL TYPE	FEE* SURVEYOR TYPE	FEE* FLOOD CTRL TYPE	FEE* ROADS TYPE	FEE* WATER TYPE	ENVIR HEALTH TYPE	FEE* COB TYPE	FEE* APCD TYPE
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**New Structures:**

Agricultural New Structure LUP	632	313	F						20 F	299 F				
Habitable Residential New Structure LUP	834	442	F						20 F	299 F	73 F			
Residential Develop with Special Constraints or Zon Clearance	1,609	1,500	D								109 F			

**Additions & Changes of Use:**

Agricultural/Residential Structure Addition LUP	607	197	F	75 F						299 F	36 F			
Commercial Addition/Change of Use LUP	553	442	F	75 F							36 F			
Residential Develop with Special Constraints or Zon Clearance	1,609	1,500	D								109 F			

**Other Development & Review:**

Fences, Walls, Pools, Spas, LUP	249	249	F											
Carnival & Other Temp Use	467	442	F	25 F										
Home Occupation	274	249	F	25 F										
Demolition, Revision, Exemption, Time Extension	249	249	F											
Simple Permit Exemption	120	120	F											
Emergency Permit	1,421	1,346	F	75 F										
Other Development	442	442	F											
Energy/Public Works Facilities	442	442	F											

**DISCRETIONARY PERMITS**

**Land Use Permits, Coastal Development Permits, Map, and Lot Line Adjustment Clearance (including projects within the Special Area Overlay) associated with discretionary project**

LUP following Zon Admin or Director Discretion Decision	701	701	F											
LUP following Plann Comm or Board Discretion Decision	1,500	1,500	D											
Parcel Map/LLA Clearance - No Conditions	534	442	F			92 F								
Parcel Map/LLA Clearance - Conditions	1,543	1,346	F	75 F		92 F								30 F
Tract Map Clearance	3,560	3,000	D	75 F		92 F	363 F							30 F

**Design Review:**

Board of Architectural Review - Conceptual	184	184	F											
Board of Architectural Review (Preliminary & Final)	507	507	F											
Montecito Board of Architectural Review	274	274	F											
BAR Discussion or Continuance (applicant requested)	150	150	F											
Community Design Guidelines Review	249	249	F											
BAR Site Visit	1,411	1,411	F											
Specific Area Noticing	225	225	F											
BAR Field Inspection	245			245 F										

**Agricultural Preserves:**

Assumption Contracts	0	-	F				0 F							
Ag Preserve Cancellation	3,585	2,250	F				605 F	730 F						
Contract Modification or Replacement	0	-	F				0 F	0 F						
Contract Non-renewal	1,209	1,088	F				121 F	*see advisory						
New Ag Preserve Contract	0	-	F				0 F	0 F						
Rezone/Comp Plan Change	0	-	F				0 F							
Farm Land Security Zone Contracts	0	-	F				0 F							

County of Santa Barbara Land Development Fees  
Effective January 2007

	TOTAL BASE FEE CURRENT	P&D FEE	FEE* TYPE	BLDG FEE* TYPE	PARKS FEE* TYPE	FIRE FEE* TYPE	CNTY CONSL FEE* TYPE	SURVEYOR FEE* TYPE	FLOOD FEE* CTRL TYPE	ROADS FEE* TYPE	WATER FEE* TYPE	ENVIR HEALTH FEE* TYPE	COB FEE* TYPE	APCD FEE* TYPE
<b>Appeals to Decision-Makers:</b>														
Appeal to Board of Supervisors (Pay Clk of BD)	443	300	F				103	F					40	F
Appeal to Planning Commission	403	300	F				103	F						
<b>Coastal Development Permit with Hearing</b>	<b>3,750</b>	1,500	D		75	F	242	F	130	F	543	F	145	F
<b>Conditional Use Permits:</b>														
Conditional Use Permit Amendment - Director Review	6,872	5,519	F							753	F		600	F
Conditional Use Permit - Major (New or Revised)	9,622	5,000	D	125	F	225	F	463	F	968	F	455	F	1,273
Conditional Use Permit - Minor	4,655	2,624	F	125	F	75	F	92	F			195	F	799
Conditional Use Permit - Minor for Residential 2nd Unit in Ag Zone	4,841	2,624	F	125	F	75	F	278	F			195	F	799
Conditional Use Permit Trailer Renewal	1,407	1,129	F					278	F					
Substantial Conformity Determination	1,561	1,500	D				61	F						
<b>Cond Certificate of Compliance</b>	<b>4,549</b>	3,528	F	75	F		278	F	363	F			305	F
<b>Development Plans:</b>														
Development Plan Amendment - Director Review	8,207	6,681	F							830	F	36	F	600
Development Plan - Director Review (New or Revise)	7,230	3,000	D	175	F	225	F	1,111	F	61	F	260	F	907
Development Plan - PC (New or Revised)	14,433	8,000	D	175	F	225	F	1,111	F	968	F	650	F	1,413
Development Plan - ZA (New or Revised)	13,716	8,951	F	175	F	225	F	1,111	F	121	F	390	F	997
Substantial Conformity Determination	1,561	1,500	D				61	F						
<b>Determination of Similar Use - Planning Commission</b>	<b>1,742</b>	1,500	D				242	F						
<b>General Plan Amendments</b>	<b>8,789</b>	8,000	D				484	F					305	F
<b>General Plan Consistency (sec 65402)</b>	<b>1,742</b>	1,500	D				242	F						
<b>General Plan Consistency (sec 65402) - Non-Complex</b>	<b>406</b>	406	F											
<b>Limited Exceptions Determination</b>	<b>1,500</b>	1,500	D											
<b>Maps:</b>														
Lot Line Adjustment Planning Commission	5,384	3,000	D	125	F	75	F	185	F	363	F	200	F	325
Lot Line Adjustment Zoning Administrator	4,952	3,000	D	125	F	75	F	185	F	61	F	200	F	195
Lot Line Adjustment Modification Prerecordation	3,121	3,000	D					121	F					
Parcel Map Waiver	2,168	1,500	D					363	F					305
Recorded Map Modification	3,873	3,000	D	75	F			363	F	130	F			305
Tentative Map Modification	4,884	3,000	D	175	F			555	F	363	F	65	F	623
Tentative Parcel Map Plann Comm	11,432	5,000	D	175	F	300	F	1,111	F	363	F	160	F	390
Tentative Parcel Map Zoning Administrator	8,499	3,000	D	175	F	300	F	1,111	F	121	F	160	F	260
Tract Map (less than 49 lots)	16,689	8,000	D	175	F	450	F	1,111	F	1,210	F	425	F	500 +\$10/lot
Tract Map (more than 50 lots)	20,175	8,000	D	175	F	450	F	3,702	F	1,452	F	425	F	500 +\$10/lot
<b>Mining Reclamation Plans</b>	<b>8,638</b>	5,000	D	835	F			968	F			390	D	990
<b>Modification of Conditions</b>	<b>3,945</b>	3,582	F					363	F					305
<b>Oak Tree Tier 4 Permit</b>	<b>1,500</b>	1,500	D											
<b>Oil &amp; Gas Production/Exploration Plans</b>	<b>7,652</b>	5,000	D	175	F			968	F					759
<b>Ordinance Amendments</b>	<b>6,210</b>	5,000	D					1210	F					150
<b>Rezone</b>	<b>9,920</b>	8,000	D					968	F			130	F	551
<b>Consistency Rezone</b>	<b>2,541</b>	2,420	F					121						
<b>Site Visit</b>	<b>442</b>	442	F											
<b>Site Investigation (Bldg)</b>	<b>75</b>			75	F									
<b>Specific Plan</b>	<b>14,838</b>	8,000	D					1,815	F			390	D	3,637
<b>Substantial Conformity Determination</b>	<b>1,561</b>	1,500	D					61	F					291

County of Santa Barbara Land Development Fees  
Effective January 2007

	TOTAL BASE FEE CURRENT	P&D FEE	FEE* TYPE	FEE* BLDG TYPE	FEE* PARKS TYPE	FEE* FIRE TYPE	CNTY CONSL TYPE	FEE* SURVEYOR TYPE	FEE* FLOOD CTRL TYPE	FEE* ROADS TYPE	FEE* WATER TYPE	ENVIR HEALTH TYPE	FEE* COB TYPE	FEE* APCD TYPE
<b>Time Extensions Planning Commission</b>	<b>3,635</b>	3,453	F				182	F						
<b>Time Extensions Zoning Administrator</b>	<b>2,237</b>	2,237	F											
<b>Variance</b>	<b>2,180</b>	1,500	D	75	F		605	F						
<b>Zoning Modifications</b>	<b>4,028</b>	3,786	F				242	F						

**MISCELLANEOUS REVIEW**

**Consultations:**

Consultation	249	249	D											
Building Consultation per half hour	50			50	F									
Pre-Application	1,500	1,500	D											

**Landscape Plan Review:**

Landscape Review Minor	313	313	F											
Other Landscape Review	701	701	F											
Performance Security & Administration	313	313	F											
Drainage Plan Review	75			75	F									

**Other Ordinances & Regulations:**

Alcoholic Beverage Control Affidavit	116	116	F											
Hardship Determinations - Non-conforming use/structure	1,540	1,540	F											
Permit Revocation	4,815	3,000	D				1,815	F						
Montecito GMO Exemption (Not Hardship)	305	184	F				121	F						
Montecito GMO Hardship Exemption	1,984	1,500	D				484	F						
Montecito GMO Points Allocation	1,314	830	F				484	F						
Overall Sign Plan	3,786	3,786	F											
Road Naming Existing Road	1,181	946	F			185	F		50	F				
Road Naming - New road	1,065	830	F			185	F		50	F				
Temporary Second Dwelling Agreement & Site Visit	571	571	F											
Special Problems Area Intake Review	184	184	F											
Sign Certificate of Compliance	313	313	F											
Surface Mining Annual Inspection - Minor	553	313	F	175	F					65	F			
Surface Mining Annual Inspection - Moderate	1,006	701	F	175	F					130	F			
Surface Mining Annual Inspection - Extensive	1,935	1,500	D	175	F					260	F			

**Permit Compliance:**

Permit Compliance Minor	500	500	D											
Permit Compliance Major	1,500	1,500	D											

**ADVISORIES:**

(F)-Fixed Fees are non-refundable.

(D) Deposit will be held on account. Applicant will pay monthly invoices.

Appeals located in the Coastal Zone which qualify under State of Calif Public

Resources Code Section 30603 are exempt from appeal fees.

**Multiple permit applications for Planning and Development:**

Ministerial Cases with Fixed Fees: Collect highest ministerial fee +\$100 for each additional fixed fee

Discretionary Cases with Fixed Fees: Collect entire fee for each discretionary case type

Deposit Cases: Collect highest deposit

Grading and design review fees will be collected in full.

**OTHER DEPARTMENT FEE PROCEDURES:**

-If more than one deposit amount, collect larger deposit only.

-If more than one fixed fee, for Fire, Flood or Water collect only the larger fixed fee.

-Do not collect Fire Dept. fees for projects located in Montecito, Carpinteria, Summerland or Orcutt Fire Districts

-Conditional Use Permit in existing building with urban area - just collect for County Counsel, Fire, building (and EHS if well or septic)

-Lot Line Adjustments (PC or ZA) with no potential structures or building potential - waive Roads and EHS

-Minor Conditional Use Permits where structure exists and CUP is just for use and for fences and walls - waive Fire, Building, and EHS

-CDP's with hearings for additions with public water and sewer - waive EHS and Parks

-County Counsel & EHS reserve the right to change fee if estimated costs are exceeded

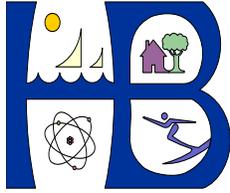
-Water Fees effective 6/28/04. Collect fee only if storm water treatment control BMPs required.

Ag Contract Non-Renewal - Collect \$270 F for Surveyor when a portion of the property is to be taken out of the contract.

**Notice: To legalize a zoning violation, applicants must pay permit fees plus a penalty fee equal to all applicable permit fees up to \$2,000.**

G:\group\admin\fee schedule\land dev fee spreadsheet effective jan 15, 2007\text change1.xls

Revised Text 5/17  
**Exhibit Z**  
**11/14/2007 - W3a**  
**Page 4 of 4**



# CITY OF HUNTINGTON BEACH

## PLANNING DEPARTMENT

# FEE SCHEDULE

**CITY COUNCIL APPROVED NOVEMBER 21, 2005**  
**EFFECTIVE JANUARY 20, 2006**

<b>PLANNING COMMISSION ACTIONS:</b>		<b>FEE*</b>
Annexation Request	10000100.42480	\$17,119
Coastal Development Permit**	42415	4,429
Conditional Use Permit:		
New Residential	42420	8,552
Commercial/Industrial/Mixed Use less than ½ Block	42420	6,941
Mixed Use, ½ Block or Greater	42420	20,153
Entitlement Continuance	42425	298 <sup>1</sup>
Development Agreement		Full Hourly Cost
Original Contract or Significant Amendment	42430	30,512 Dep.+ costs
Minor Amendment	42430	18,342 Dep.+ costs
Annual Review (Planning Commission Hearing)	42430	3,837
Annual Review (Administrative Review)	42430	3,382
Entitlement Plan Amendment		
New Hearing	42435	4,018
No Change to Conditions - Director Review	42440	2,028
General Plan Amendment - GPAMajor	42445	32,948
General Plan Amendment - GPA Minor	42445	17,998
General Plan Conformance	42445	4,251
Local Coastal Program Amendment	42450	7,306
Reversion to Acreage	42480	2,875
Special Permit	42480	2,052 each
Tentative Tract Map	42460	21,150+ 30/lot
Variance	42465	3,455
Zoning Map Amendment	42470	19,271
Precise Plan of Street Alignment	42480	13,205
Mobile Home Park Conversion Review	42470	25,878
Zoning Text Amendment-Major	42475	15,178
Zoning Text Amendment-Minor	42475	8,437

\* Includes 4.1% automation fee

<sup>1</sup> Plus costs for Notice of Publication, if applicable

\*\* Coastal Development Permit reduced 50% when processed concurrently with a Conditional Use Permit, Tentative Map or Variance

**Exhibit AA**  
**11/14/2007 - W3a**  
**Page 1 of 5**

<b>ZONING ADMINISTRATOR ACTIONS:</b>		<b>FEE*</b>
Coastal Development Permit**		
Single Family Dwelling	10000100.42605	2,894
All Others	42605	3,014
Conditional Use Permit	42610	3,568
Conditional Use Permit (Fences)	42610	1,973
Entitlement Continuance	42615	210 <sup>1</sup>
Entitlement Plan Amendment		
New Hearing	42620	2,118
No Change to Conditions - Director Review	42620	1,357
Temporary Use Permit	42630	1,810+500 bond if applicable
Tentative Parcel Map	42635	4,068
Tentative Parcel Map Waiver	42635	1,788
Tentative Tract Map	42460	7,034 + 30/lot
Variance	42640	2,446

<b>ENVIRONMENTAL REVIEW:</b>		<b>FEE*</b>
Environmental Assessment	10000100.42705	\$7,255
Mitigated Negative Declaration	42705	2,082 (+ EA Study Fee)
Mitigation Monitoring: Mitigated Negative Declaration Environmental Impact Report	42705	2,206 2,593 (+10% of EIR)
Environmental Impact Report (EIR)- <u>Consultant Prepared</u>	42710	56,092 Dep. + costs
Environmental Impact Report (EIR)- <u>Staff Prepared</u>	42710	112,586 Dep. + costs

\* Includes 4.1% automation fee

<sup>1</sup> Plus costs for Notice of Publication, if applicable.

<b>STAFF REVIEW AND SERVICES:</b>		<b>FEE*</b>
Address Assignment Processing	10000100.42755	\$882/project
Address Change/Single Tenant Assignment	42755	253
Administrative Permit	42820	
List 1: Outdoor Dining, Eating and Drinking Establishments, Fence Extensions (<8'), Personal Enrichment Services, and Home Occupations	42820	552
List 2: Parking Reduction, Carts & Kiosks, Waiver of Development Standards, Medical Marijuana Dispensaries, Non-conforming structure additions	42820	937
List 3: Privacy Gates, Game Centers, Accessory Dwelling Units, Manufactured Home Parks	42820	1,063
Animal Permits	42820	184
Categorical Exclusion letter (coastal)	42820	210
CC&R Review	42760	1,012
Certificate of Compliance	42765	513
Design Review Board	42775	902
Extension of Time	42820	340
Final Parcel Map	42780	1,093
Final Tract Map	42780	1,508
Initial Plan, Zoning & Review (land use changes, zone changes, conceptual plans)	42785	262
Limited Sign Permit	42790	635
Lot Line Adjustment / Lot Merger	42820	552
Planned Sign Program		
Single User and Amendments to Existing Programs	42790	710
Multiple Users	42790	1,170
Preliminary Plan Review:		
Single Family Residential	42795	746
Multi-Family Residential (up to 9 units)	42795	1,693
Multi-Family Residential (10+ units)	42795	2,148
Non-Residential	42795	2,335
Sign Code Exception – Staff	42625	812
Sign Code Exception – Design Review Board	42625	1,569
Site Plan Review	42820	4,323
Temporary and Promotional Activity Sign Permit	42800	76
Temporary Sales/Event Permit	42805	281
Zoning Letter:		
Flood Verification	42810	80
Staff Review		149

**Exhibit AA**

11/14/2007 - W3a

Page 3 of 5

Zoning Research/Information	42810	87/hr. (min. 1 hr.)
Planning Consultation/Meeting Fee (per planner)	42810	114/hr. (min. 1 hr.)

\* Includes 4.1% automation fee

<b>APPEALS:</b>		<b>FEE*</b>
<b>To Planning Commission</b>		
Single family owner appealing decision of own property	10000100.42815	\$1,287
	42815	1,569
Others	42815	494
Appeal of Director's Decision (PC Public Hearing)	42815	416
Appeal of Director's Interpretation (PC Non-Public)		
<b>To City Council (file w/ City Clerk's Office)</b>		
Single family owner appealing decision of own property	42815	\$1,541
Others	42815	2,379

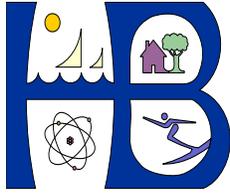
<b>OTHER FEES:</b>		<b>FEE*</b>
Downtown Specific Plan Fee	42820	\$831 per acre
Outdoor Dining:	42820	
License Agreement Application Fee		30
License Agreement Use Charge		0.01/sq.ft.
License Agreement Code Enforcement Fee		4/sq. ft.
Park and Recreation Fee (see attached)		
Traffic Impact Fee		See Dept. of Public Works

\* Includes 4.1% automation fee

### **ADDITIONAL FEES MAY BE REQUIRED:**

**ENTITLEMENTS FOR DEVELOPMENT INCLUDE INITIAL REVIEW OF PLANS AND ONE SUBSEQUENT REVISION SUBMITTAL. REVIEW OF PLANS IN EXCESS OF ONE REVISION SHALL BE CHARGED THE FULLY BURDENED HOURLY RATE.**

**ALSO SEE DEPARTMENTS OF PUBLIC WORKS, FIRE, AND THE BUSINESS LICENSE DIVISION FOR ADDITIONAL FEES**



# CITY OF HUNTINGTON BEACH

## PLANNING DEPARTMENT

### Park and Recreation Fees

**CITY COUNCIL APPROVED JUNE 17, 2002**  
**EFFECTIVE JULY 17, 2002**

Pursuant to City Council Ordinance No. 3562, and Resolution Nos. 2002-56 and 2002-57 adopted on June 17, 2002, park in-lieu fees for residential developments involving a subdivision map are as follows:

<b>PROJECTS REQUIRING A SUBDIVISION MAP (20900209.47115)</b>
Tract Map No./Parcel Map No:
Park and Recreation Fee Formula Per Chapter 254:
$\frac{5 \text{ (# units x 2.68)}}{1,000} \times \text{Per acre value of project site*} = \text{Park In Lieu Fee}$
* Based on City-approved site-specific appraisal of project site

**CITY COUNCIL APPROVED DECEMBER 16, 2002**  
**EFFECTIVE DECEMBER 16, 2002**

Pursuant to City Council Ordinance No. 3596, and Resolution No. 2002-129 adopted on December 16, 2002, park fees for commercial and industrial developments and residential developments not requiring a subdivision map are as follows:

<b>PROJECTS NOT REQUIRING A SUBDIVISION MAP (20900209.47280)</b>
Commercial and Industrial Floor Area = \$0.23/square foot
Residential Floor Area (includes garages) = \$0.86/square foot

Date Fees Paid:	Plan Check No.:
Receipt No.:	
Job Location:	
Tentative Tract Map No./Tentative Parcel Map No.:	



**PLANNING PERMIT  
FEE SCHEDULE**

Effective fees as of September 26, 2006  
C.C. Reso No. 12, 906, 12,976 & 13,161

**ADMINISTRATIVE PERMITS**

**GENERAL**

Art Proposal Review.....	\$1,020.60
CBD Design Review-Major.....	1,344.00
CBD Design Review-Minor.....	387.45
CBD Sign (OTC) Review.....	84.00
Certificate of Compliance.....	672.20
Development Design Review.....	4,250.40
Home Occupation Permit.....	63.00
Large Family Day Care.....	364.35
Minor Modification.....	789.60
*Additional DS fee, Commercial/Industrial.....	84.26
*Additional DS fee, Residential.....	52.61
Pre-Application <sup>1</sup> .....	1,999.20
*Additional DS fee, Commercial/Industrial.....	112.35
*Additional DS fee, Residential.....	70.14
Street Naming/Renaming.....	1,992.90
Street Vacations.....	1,615.95
Temporary Use Permit.....	67.20
*Additional Security Deposit <sup>2</sup> .....	315.00
Time Extension, Admin Permits (MNMD).....	375.90
Wireless Administrative Permit.....	3,345.30
Zone Clearance.....	67.20

**RESIDENTIAL**

Mobile Home Review.....	621.60
Residential Care Facility.....	621.60
Second Unit Review.....	621.60

**COASTAL**

Coastal Exemption Determination.....	679.35
Administrative Modification.....	705.60
Development Review.....	3,888.15
Emergency.....	969.15

**MAPS**

Lot Line Adjustment.....	1,875.30
*Additional DS fee.....	34.65 per lot plus 1,827.00
Lot Merger.....	2,127.30
*Additional DS fee.....	16.80 per lot plus 1,827.00

**ENVIRONMENTAL FEES**

CEQA Exempt Project.....	127.05
Initial Study/Negative Declaration.....	2,718.45
Mitigated Neg.Dec & Monitoring.....	5,416.95
Fire Prevention EIR Review.....	714.00
(EIR cost may vary with project scope, based on contract)	

**MISCELLANEOUS FEES**

Annual Subscription – Agenda Summary.....	37.00
Annual Subscription – Meeting Minutes.....	37.00
City Attorney Deposit, major projects.....	10,500.00
Notice of Land Use Restrictions and Conditions.....	15.00
Planning Permit Enforcement-Regular/OT.....	84.00
Overtime.....	115.50
Property Owners List/Map (for each data set).....	121.80
Recorded Documents.....	20.00
Standard Form Letter.....	106.05

**DOCUMENTS**

General Plan.....	45.00
Zoning Ordinance (Chapter 16).....	20.00
Local Coastal Plan.....	10.00
Coastal Zoning Ordinance (Chapter 17).....	10.00
Specific Plans.....	10.00
Zoning Maps.....	15.00
Landscape Brochure.....	1.00
Compact Disc Copies.....	12.00

**DISCRETIONARY PERMITS**

**GENERAL**

Annexation.....	\$4,767.00
Density Bonus.....	2,888.55
Development Agreement.....	2,209.20
Development Agreement Amendment.....	799.05
Development Plan.....	4,126.50
General Plan Amendment.....	10,167.15
General Plan Consistency.....	1,707.30
Major Modification.....	3303.30
*Additional DS fee, Commercial/Industrial.....	140.44
*Additional DS fee, Residential.....	87.68
Planned Development Permit	
Commercial/Industrial.....	5302.50
Residential.....	3622.50
Pre-Zoning.....	2944.20
Special Use Permit	
Alcohol.....	1391.25
Commercial/Industrial.....	5,067.30
Minor.....	2317.35
Residential.....	4,082.40
Wireless Facility.....	5,525.10
Specific Plan Amendment.....	5,149.20
Specific Plan Review.....	6,075.30
Zone Change.....	3,091.20
Zone Text Amendment.....	5,789.70
Zone Variance.....	1,875.30

**COASTAL**

Coastal Development Permit	
Commercial/Industrial.....	4,216.80
Residential.....	3,460.80
Coastal Plan Amendment.....	9,807.00
Coastal Plan Consistency.....	1,505.70
Coastal Variance.....	1,556.10

**MAPS**

Final Map.....	2,201.33
*Additional DS fee.....	36.75 per lot + 1,480.50
Parcel Map Waiver.....	1,875.30
*Additional DS fee.....	370.65
Tentative Map.....	5,882.10
*Additional DS fee.....	17.85 per lot + 833.70
Vesting Tentative Map.....	4,987.50

**DEVELOPMENT ADVISORY COMMITTEE**

Development Services DAC Review Fees	
Commercial/Industrial.....	561.75
Residential.....	350.70
Fire Prevention DAC Review Fees	
Commercial.....	928.20
Industrial.....	838.95
Residential, 1-7 SF or 1-3 MF.....	311.85
Residential, 8-49 SF or 4 or more MF.....	936.60
Residential, 50 or more SF.....	1,338.75
Parks DAC Review Fees	
Commercial/Industrial.....	210.00
Drainage Basins.....	210.00
Freeway/Street/Highway.....	193.20
Medians.....	105.00
Residential.....	273.00
Architectural DAC Review.....	141.75

**APPEALS**

Wireless Communication Facility, to	
Planning Commission.....	1,321.00
All other City appeals.....	500.00

**Exhibit BB**  
**11/14/2007 - W3a**  
**Page 1 of 1**

NOTICE: As of January 23, 2006, the fees provided on this fee summary include a 5 percent surcharge in accordance with City Council Resolution No. 12,976.

1 - Initial filing deposit, which represents 150% of the average cost to process this particular permit. The actual charge may vary depending upon the amount of time actually required to process the permit. The total charge may not exceed the filing fee deposit without previous approval by the Planning Division Manager. If the Manager Determines that additional costs beyond the deposit amount are justified, Planning staff will ask the applicant to deposit additional funds to cover the estimated additional costs. Planning staff will process refunds to the applicant if the actual costs are less than the original deposit or any additional amount deposited by the applicant.  
2 - Amount of deposit established by City Ordinances No. 1633 and 1836.



# ABOUT LEED

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1800 Massachusetts Ave, NW  
Suite 300  
Washington, DC 20036  
T: 202 828-7422  
F: 202 828-5110  
[www.usgbc.org](http://www.usgbc.org)

The LEED® (Leadership in Energy and Environmental Design) Green Building Rating System™, created by USGBC, is a voluntary building certification program that defines high-performance green buildings, which are more environmentally responsible, healthier, and more profitable structures. LEED was created to establish a common standard of measurement for what constitutes a “green” building. LEED serves as a design guideline for green building and offers third party validation of a building’s green features.

LEED evaluates buildings in five areas: Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources and Indoor Environmental Quality. Within these credit areas, points are available and depending on the number of points a project earns determines the level of certification the building will be awarded. There are four progressive levels of certification: Certified, Silver, Gold and Platinum.

Developed by the U.S. Green Building Council, LEED addresses a variety of buildings and building project types through individualized systems, including:

- New Construction
- Existing Buildings
- Commercial Interiors
- Core & Shell
- Homes - *in pilot, to be released fall 2007*
- Neighborhood Development – *in pilot*
- Schools
- Retail – *in pilot*

In addition, LEED systems are in development for Campuses, Labs and Healthcare.

LEED rating systems are developed through an open, consensus-based process in USGBC committees. Each volunteer committee is composed of a diverse group of practitioners and experts representing a cross-section of the building and construction industry. Any USGBC member can serve on a committee, and all committee procedures and proceedings are available at [www.usgbc.org](http://www.usgbc.org).

## **LEED Certification Benefits**

LEED certified buildings have lower operating costs, higher lease rates, and happier and healthier occupants than conventionally constructed structures. Certification under LEED is third party validation to the market that a building is green.

## **LEED Online**

The LEED certification and documentation process has been designed to be more user-friendly than ever – the process is now entirely on-line. Projects register their project with an intent to certify before breaking ground. Project teams can submit design phase credits at the early stages and then move to the construction phase, allowing ongoing feedback to the project throughout the project’s progression. This will

enable design teams to modify design documents prior to commencing construction, and will give teams and building owners confidence that the project is on track for certification.

Once the building is completed and all the documents have been submitted, the building will be reviewed by USGBC and awarded a LEED certification based on how many points the project earned.

### **LEED Adoptions**

State and local governments across the country are leading by example by adopting LEED for public-owned and public-funded buildings and encouraging green building in the private sector through a variety of financial and structural incentives. Various LEED initiatives are found in 55 cities and 22 states in the U.S. For a complete list please click [here](#).

### **How the Federal Government uses LEED**

There are 11 Federal initiatives in agencies like the Department of Defense, Air Force, Army, Navy, Department of Agriculture- Forest Service, Department of Energy, Department of General Services, Department of State and the Environmental Protection Agency.

### **LEED Internationally**

LEED registered projects are in progress in 30 different countries, including Canada, Brazil, Mexico, and India, to name just a few, and the World Green Building Council—an affiliation of seven national green building councils, including the U.S.—is helping to drive the international dialogue.



# LEED® AND CLIMATE CHANGE

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Buildings account for 39% of the CO<sub>2</sub> emissions per year. The good news is – buildings can be 39% of the solution. The U.S. Green Building Council's LEED Green Building Rating System directly addresses CO<sub>2</sub> emissions from buildings and their use.

## **LEED Buildings Mitigate Climate Change**

LEED, the nationally accepted benchmark for the design, construction, and operation of high performance green buildings, provides building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance.

LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. A series of points/credits are available within the five LEED areas and building projects can earn those credits through incorporating green design and construction techniques.

65% of the credits in the LEED Rating System directly reduce the CO<sub>2</sub> footprint of the building. The areas in which climate change is mitigated through LEED include:

### **Energy**

Buildings consume approximately 40% of the energy and 70% of the electricity in the U.S. annually.

- LEED awards credits for reducing energy use in buildings through such means as installing energy efficient heating and cooling systems; using renewable power (daylight, solar heating and wind energy); requiring building commissioning; and purchasing green power.
- The average LEED certified building uses 32% less electricity, 26% less natural gas, and 36% less total energy. LEED certified buildings in the U.S. are in aggregate saving 150,000 metric tons of CO<sub>2</sub> reduction equivalent to 30,000 passenger cars not driven for one year.
- A single LEED certified building is designed to save an average of 352 metric tons of CO<sub>2</sub> emissions annually, which is equivalent to 70 passenger cars not driven for one year.

### **Water**

Through changing precipitation patterns, climate change will put additional strain on global water supplies. Water is becoming an increasingly limited resource and LEED certified buildings use less water. The embodied energy of water is also a major contributing factor to climate change.

- LEED buildings incorporate efficient use of water and irrigation strategies to deliver water energy consumption savings. Strategies such as rainwater harvesting, waterless urinals, installing aerators on faucets, using non-drinkable water for irrigation and installing timers on faucets are awarded LEED credits.
- A LEED Certified building saves, on average, 30% of water use as compared to a conventional building, which translates to more than 1 million gallons of water savings per year.

- Encouraging reductions in the amount of water that needs to be conveyed to and treated by municipal wastewater treatment facilities reduces pumping and process energy required by systems.
- LEED also encourages on-site treatment of storm water to minimize the burden and use of energy by municipal treatment systems.

**Materials**

Construction and demolition waste constitute 40% of the total solid waste stream in the U.S.

- LEED buildings use less material and generate less waste through measures such as reusing existing buildings, developing a construction waste management plan, salvaging materials, using materials with recycled content, using local materials and implementing an on-site recycling plan.
- Using fewer materials in a building lower the overall embodied energy of the building, which directly impacts the building’s carbon footprint.

**Transit & Density Oriented Development**

A building’s location affects ecosystems based on the occupant’s options for travel to and from the site. Vehicle use in America has nearly tripled from 1 to 2.85 trillion since 1970 and passenger vehicles are responsible for approximately 20% of U.S. carbon dioxide emissions.

- LEED buildings constructed near public transportation earn credits. In addition, car pooling and hybrid car use is awarded within LEED.
- The infrastructure required to support vehicle travel increase the consumption of land and non-renewable resources, alter storm water flow and absorb heat energy, exacerbating heat island affect.
- High-density is proven to encourage efficiency in transport and building energy use through promoting the use of public and alternative transportation.

Average Savings of Green Buildings

